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INVESTIGATION OF COMMUNIST PROPAGANDA IN
THE UNITED STATES—PART 5
(NEW YORK CITY AREA)

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
FIRST SESSION

MARCH 12 AND 13, 1957

Printed for the use of the Committee on Un-American Activities

(Index in Part 6 of this series)



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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee, and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

(INVESTIGATION OF COMMUNIST PROPAGANDA IN THE UNITED STATES, PARTS 5 AND 6)

(NEW YORK CITY AREA)

On March 12, 13, 14, and 15 the committee began the first of a series of hearings in New York City relating to the Communist-controlled foreign language press and Communist publishing houses in the United States.

Appearing before the committee were 28 witnesses from foreign-language publications, Communist periodicals, publishing firms, and bookstores. They were: Zoltan Deak, editor of Hungarian Word; Catherine Gyarmaty, editor of Nok Vilaga, a Hungarian monthly periodical; Alex Rosner, business manager of Hungarian Word; Louis Dattler, secretary of Hungarian Word; Arpad Fodor Nagy, treasurer of Hungarian Word; Clara Reich, secretary of Nok Vilaga; Michael Savides, business manager of Greek-American Tribune; James Lee, editor of China Daily News, a Chinese-language daily; Michael Tkach, editor of Ukrainian Daily News; Frank Ilchuk, secretary-treasurer of Ukrainian Daily News; Anthony Bimba, editor of Sviesa, a Lithuanian quarterly; Roy Mizara, editor of Laisne, a Lithuanian-language weekly; David Krinkin, editor of Russky Golos, a Russian-language daily; Theodore Bayer, former president of Russky Golos Publishing Corp., publisher of Russky Golos; Samuel Nikolauk, secretary of the Russky Golos Publishing Corp.; Paul Novick, editor of the Morning Freiheit, a Yiddish daily; Irving Freed, managing editor of the Morning Freiheit; Gerhard Hagelberg, editor of the German-American.

John Gates, editor of the Daily Worker. Angus Cameron, of the publishing firm of Cameron & Kahn and president of the Liberty Book Club; Rose Baron, owner and manager of the Workers Book Shop, the "official" Communist Party bookstore in New York; Margaret Cowl Krumbein, presently associated with Imported Publications & Products, Inc., a registered agent for many Communist publishing firms in the Soviet Union; Sol Auerbach (James S. Allen), an official of International Publishers; Joseph Felshin, an official of New Century Publishers and associated with the publication, Political Affairs; Jessica Smith (Abt), presently associated with New World Review; and Milton Howard, an official of Mainstream.

A cooperative witness, John Lautner, a former member of the Nationality Groups Commission of the Communist Party, named 18 of these as persons whom he had known as Communists. These 18 were: Zoltan Deak, Catherine Gyarmaty, Alex Rosner, Louis Dattler, Arpad Fodor Nagy, Clara Reich, Michael Tkach, Theodore Bayer, Samuel Nikolauk, Paul Novick, Irving Freed, John Gates, Rose Baron, Margaret Cowl Krumbein, Sol Auerbach, Joseph Felshin, Jessica Smith (Abt), and Milton Howard. Mr. Lautner also identified as Communists two persons not summoned before the committee: Margaret Adler, business manager of the German-American, and Boris Cohen, head of Prompt Press.

All of the witnesses invoked the fifth amendment to avoid answering questions relating to Communist Party affiliation and the activities of the newspapers and publishing concerns for which they work.

Beyond this, 13 of them invoked the fifth amendment on whether or not they were members of the Communist Party on the date of their naturalization: Michael Savides, Michael Tkach, Anthony Bimba, Roy Mizara, David Krinkin, Theodore Bayer, Zoltan Deak, Catherine Gyarmaty, Louis Dattler, Clara Reich, Samuel Nikolauk, Paul Novick, Gerhard Hagelberg.

Michael Tkach, editor of the Ukrainian Daily News and Gerhard Hagelberg, editor of the German-American Tribune, refused to answer questions respecting Soviet espionage. Mr. Tkach had been identified by Elizabeth T. Bentley in sworn testimony as an important member of the Soviet espionage ring operating in the United States.

Mr. Hagelberg, also known as Charles Wisley, writer for New Masses, and Jerry Kramer, a member of the Communist Party in Brooklyn, invoked the fifth amendment when asked, "What contacts have you had in the course of last year with persons who are representatives in the United States of foreign governments?"

Mr. Lautner, the principal committee witness, testified that the Communist press exerts a "terrific impact" on foreign-language groups in the United States, particularly on the large industrial areas. Lautner said 10 of the editors and officers of publications held important posts in Communist Party nationality groups or bureaus in the United States.

Mr. Lautner stated that the now defunct International Workers Order was a primary source of financial assistance to the Communist press both the English and foreign-language segments. Significantly enough, testimony of the witnesses heard demonstrated a real connection between the IWO and the papers involved. In many cases the editor of a Communist-controlled foreign-language newspaper was also an officer of the same language group or club in the IWO. Mr. Lautner concluded his testimony by exposing the fraudulent "new look" of the Communist Party in the United States which the 16th national convention of the Communist Party tried to perpetrate by disavowing any conspiratorial connection with Moscow. According to Mr. Lautner evidence of this fraud is best demonstrated by the fact that the Communist Party in the United States in convention refused to repudiate Leninism and failed utterly to denounce Soviet barbarism in Hungary.

Exhibits introduced at the hearings confirmed that this segment of the foreign-language press in this country constitutes nothing more than propaganda outlet for Moscow. All the exhibits were taken from the editorial pages of these newspapers and officially translated by the Foreign Language Division of the Library of Congress. In all instances witnesses refused to identify their own writings or invoked the fifth amendment on questions relating to the editorials.

In addition to the witnesses listed above, the committee also questioned Joseph Starobin, formerly the foreign editor for the Daily Worker. Starobin admitted his own party membership and connections with various propaganda outlets for the Communist Party but refused to cooperate with the committee in disclosing the identity of others associated with him in the Communist Party.

The committee also heard further testimony about Communist propaganda entering the United States from abroad.

Irving Fishman, Deputy Director of Customs in New York, testified that 6,947,000 pieces of Communist propaganda had been imported into the United States last year as bulk mail. This does not include items in first-class mail and diplomatic pouches.

Most of the material was unsolicited, Mr. Fishman declared. Most of the recent material, Mr. Fishman noted, has dealt with the Hungarian situation and the forthcoming World Student Festival in Moscow this summer.

The foreign sender pays postage for sending this material, but the rest of the cost of delivery is borne by the United States. He recommended legislation to require a label, branding it as political propaganda, to be attached to such material at the time of marking. The label is now required only when an agent here distributes the propaganda, and this, he said, is inadequate.

Serge Buteneff, assistant to Mr. Fishman, estimated that 90 percent of the material examined by customs is printed in foreign languages. Mr. Fishman stated that almost all of it originates in the Soviet Union or in the Soviet satellites.

INVESTIGATION OF COMMUNIST PROPAGANDA IN THE UNITED STATES—PART 5 (New York City Area)

TUESDAY, MARCH 12, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
New York, N. Y.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to call, in room 518, United States Courthouse, Foley Square, New York, N. Y., at 10:30 a. m., Hon. Morgan M. Moulder (chairman of the subcommittee) presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director, W. Jackson Jones and Frank Bonora, investigators.

Mr. MOULDER. The committee will be in order.

The purpose of these hearings of the Committee on Un-American Activities in New York is to inquire further into the mounting campaign of Communist propaganda which, at the moment, poses one of the graver threats to the security of the United States.

There are many aspects of this campaign. The committee has already received extensive evidence concerning the Communist propaganda imported into the United States from Iron Curtain countries. From the hearings which we have held on this subject, in Washington, Philadelphia, New Orleans, and San Francisco, the committee has ascertained an urgent need for the strengthening of existing laws, designed to combat this type of subversive material.

The investigations of the committee indicate that Communist propaganda originating in the United States has two main sources: Communist-dominated foreign-language newspapers which circulate among minority, nationality groups, and Communist-controlled publishing houses and writers whose works are published in both foreign languages and in English and whose products can be found in even the most conservative bookshops.

There are, of course, constitutional guaranties of free speech and free press, but there are no constitutional guaranties protecting the dissemination of fraudulent and deceitful propaganda. Indeed, there are laws already enacted against it. It is apparent that these laws are being violated and circumvented in a variety of ways.

There is no desire on the part of this committee or the Congress of the United States to seek censorship of newspapers, magazines

or books. This committee recognizes completely the right of free political action and free political expression. At the same time, the people of the United States have an equally compelling right to know the identity of those who are abusing these inherent freedoms of speech and press in order to destroy them. The issue is not one of suppression but of illumination. We are concerned not with legitimate political protest, but with the clandestine activity of the Communist conspiratorial apparatus.

At this point, I wish to incorporate in the record the authorization of the full House Committee on Un-American Activities for this project, and the order by the chairman of the Committee on Un-American Activities appointing this subcommittee.

There being a quorum present, the subcommittee will proceed with this hearing.

(The document referred to follows:)

AUTHORIZATION OF FULL COMMITTEE ON UN-AMERICAN ACTIVITIES IN A MEETING
HELD ON JANUARY 22, 1957

A motion was made by Mr. Kearney, seconded by Mr. Willis, and unanimously carried, approving and authorizing the holding of hearings in New York City, beginning March 12, 1957, and the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, the subject of which hearings and the investigations in connection therewith to include, in general, all matters within the jurisdiction of the committee, and in particular Communist propaganda of both foreign and domestic origin, disseminated through Communist publications and otherwise.

ORDER

"TO THE CLERK OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE HOUSE
OF REPRESENTATIVES:

"ORDER FOR APPOINTMENT OF SUBCOMMITTEE

"Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, House of Representatives, consisting of Hon. Morgan M. Moulder, chairman, Hon. James B. Frazier, Jr., and Hon. Gordon H. Scherer, associate members, to hold hearings in New York City, beginning on March 12, 1957, on all matters within the jurisdiction of the committee, and to take testimony on said day or any succeeding days, and at such times and places as it may deem necessary, until its work is completed.

"The clerk of the committee is directed to immediately notify the appointees of their appointment and to file this order as an official committee record in the order book kept for that purpose.

"Given under my hand this 7th day of March 1957.

"FRANCIS E. WALTER,

"Chairman, Committee on Un-American Activities,

"House of Representatives."

Mr. MOULDER. I would like to remind the spectators present that they are here by permission of the committee. A disturbance of any kind during the testimony, whether favorable or unfavorable to any witness, will not be tolerated. Anyone who violates this rule will be ejected from the hearing room.

In addition, please observe the rule of the Federal court prohibiting smoking in this room.

Every witness appearing before our committee is entitled to have counsel accompany him. I want to make it clear, however, that counsel's sole function is to advise his client as to his rights and privileges.

Do you have any statement?

Mr. SCHERER. No.

Mr. MOULDER. Will you call your witness, Mr. Arens?

Mr. ARENS. Mr. Francis B. Laughlin, kindly come forward and remain standing while the chairman administers the oath.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUGHLIN. I do.

TESTIMONY OF FRANCIS B. LAUGHLIN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LAUGHLIN. My name is Francis B. Laughlin. I am assistant collector of customs of the port of New York. I live in Mamaroneck, Westchester County in New York.

Mr. ARENS. How long have you occupied your present post?

Mr. LAUGHLIN. Since 1945.

Mr. ARENS. What are your duties and responsibilities?

Mr. LAUGHLIN. I am in charge of the general overall administration of the customs laws at the port of New York.

Mr. ARENS. Can you please tell us the jurisdiction of the customs office in New York from the standpoint of reception of foreign political propaganda?

Mr. LAUGHLIN. We have a dual responsibility, first, under section 305 of the tariff act, which deals with obscenity, advocating the overthrow by force of the Government, armed insurrection, and so forth. The second is under the Foreign Agents Registration Act of 1938.

Mr. ARENS. And what is your duty under the Foreign Agents Registration Act?

Mr. LAUGHLIN. Under that act it is our duty to enforce the requirement that all political propaganda must be identified as such. It must be marked as such.

Mr. ARENS. Do you have a special unit within the United States Customs Service in New York for the purpose of detecting Communist propaganda, segregating it, and enforcing the applicable statutes with respect to it?

Mr. LAUGHLIN. Yes; we have such a unit that is under Deputy Collector Irving Fishman, who handles all restricted and prohibited merchandise.

Mr. ARENS. Mr. Chairman, I respectfully suggest Mr. Fishman be administered the oath.

Mr. MOULDER. Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHMAN. I do.

TESTIMONY OF IRVING FISHMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FISHMAN. My name is Irving Fishman, deputy collector of customs at the port of New York. I live in Jericho, Long Island.

Mr. ARENS. How long have you occupied your present post, Mr. Fishman?

Mr. FISHMAN. I have been in the customs service for over 29 years. I have had this specific assignment for the past 15 or 16 years.

Mr. ARENS. What is the assignment which you presently have?

Mr. FISHMAN. The Treasury Department is concerned with the control of the importation of political propaganda, and I have been assigned on a countrywide basis to take whatever steps are available under the law to control this volume of political propaganda that is imported.

Mr. ARENS. How many ports of entry are there in the continental United States through which or into which foreign political propaganda enters?

Mr. FISHMAN. There are over 45 customs ports of entry. Merchandise can be entered at any one of those ports of entry, plus, of course, the supports in each area.

Mr. ARENS. How many check points or control units are established by the United States Customs Service for its function in reference to Communist propaganda?

Mr. FISHMAN. Currently there are three.

Mr. ARENS. Where are they located?

Mr. FISHMAN. One is in this city, New York City; another one in San Francisco, and another one at the port of Chicago. The enforcement of the provisions of the Foreign Agents Registration Act, with which we are concerned here today, is a joint responsibility of both the Post Office, Treasury, and Justice Departments. The Post Office Department has cooperated with us to the extent of directing mail from the Soviet bloc countries to the three check points so that to some degree we see most of this material at the three control points.

Mr. ARENS. Now, kindly give us, if you please, Mr. Fishman, a brief layman's thumbnail sketch of the applicable provisions of the law.

Mr. FISHMAN. Mr. Laughlin has referred to them briefly. Under section 305 of the tariff act, we are, of course, concerned with the importation of any material which is subversive, which advocates the overthrow of the United States Government, and so on. Under the Foreign Agents Registration Act, which is the type of legislation intended to identify agents of foreign governments as such—

Mr. MOULDER. May I intervene and ask you, you say propaganda which advocates or recommends revolution and the overthrow of the United States Government by force and violence. How do you ascertain that? Does it have to be a direct recommendation or can it be indirectly proposed?

Mr. FISHMAN. The provision of the law referred to in my opinion would almost require that it be a direct suggestion. The provisions of the Foreign Agents Registration Act, however, are much more inclusive, and the law there refers to political propaganda as such, and also contains a definition of what constitutes political propaganda which we use as a basis for making our determinations.

Mr. ARENS. Perhaps, Mr. Fishman, it would clarify this record if I were to ask you a few questions from the layman's standpoint.

If foreign political propaganda is beamed at the United States, and if that foreign political propaganda advocates overtly the overthrow of the Government of the United States by force and violence,

that foreign political propaganda is subject to confiscation, is it not, because it is in violation of certain criminal statutes? Is that right?

Mr. FISHMAN. That is right.

Mr. ARENS. If the foreign political propaganda does not openly advocate the overthrow of the Government of the United States by force and violence, but is for dissemination in the United States by a registered agent of a foreign principal, then that foreign political propaganda comes within the purview of the Foreign Agents Registration Act, is that correct?

Mr. FISHMAN. That is correct. I did not want to confuse the two provisions of law. One is very specific and is contained right in the Tariff Act of 1930. The second, and the one we are concerned with mainly are the respective provisions of the Foreign Agents Registration Act. We come into the picture—and I would like to make this one point—because of a ruling of the Attorney General which dealt specifically with persons outside of the United States. This rule has been recently amended by the present Attorney General and has become rule 6 of the general regulations annexed to the Foreign Agents Registration Act. It specifies that any person not within the United States who uses the United States mails or any means or instrumentality of interstate or foreign commerce within the United States to circulate or disseminate political propaganda, to addressees who have not ordered, subscribed to, or otherwise solicited such material shall be regarded as acting within the United States and subject to the rules of the Foreign Agents Registration Act.

It is with regard to that type of material that we take our action. Most of this material that we are concerned with is sent unsolicited, unlabeled to recipients in the United States.

Mr. ARENS. Now may I ask a few other elemental questions so this record will be clear, Mr. Fishman.

The laws provide no ceiling or numerical limit on the amount of Communist propaganda that can be brought into the United States, is that correct?

Mr. FISHMAN. No ceiling, no rules.

Mr. ARENS. The laws provide no censorship on Communist propaganda being sent into the United States, is that correct?

Mr. FISHMAN. Yes. This is a disclosure type statute.

Mr. ARENS. If the recipient in the United States is in diplomatic status, there is no requirement under the Foreign Agents Registration Act for any labeling; is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. If the recipient is a registered agent of a foreign principal, and he in turn is going to disseminate in the United States Communist political propaganda, he can receive all he wants, can he not, from abroad?

Mr. FISHMAN. He can.

Mr. ARENS. And he only is required to label that propaganda when he disseminates it in the United States, is that correct?

Mr. FISHMAN. That is correct. That is the current interpretation of the law.

Mr. ARENS. The theory of the law, Mr. Fishman, is, is it not, that the reader in the United States, the recipient of foreign political propaganda, is entitled to have all he wants of it just so he knows

and has before his eyes a label that the material he is receiving emanates from a Communist country and is Communist propaganda, is that correct?

Mr. FISHMAN. Yes, with two limitations.

Mr. ARENS. It is the same theory as under the food and drug law, that the man who reaches for medicine is entitled to know from the label what he is taking; is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. Is there any limitation on the amount of Communist propaganda, or any labeling requirements for an individual recipient who requests the Communist propaganda?

Mr. FISHMAN. There are two requirements actually. One, that he be aware of its source, or in fact that he has solicited or requested or subscribed for it, and second, that he does not disseminate it subsequent to his having received it.

Mr. ARENS. But if he wants it for his own purposes, he can receive it without labeling and without numerical limitation, isn't that correct?

Mr. FISHMAN. Numerical limitation, there would be some restriction. For example, you might question an individual who brought 50 copies of a newspaper in for his own personal use.

Mr. ARENS. I meant from the standpoint of his own personal use.

Mr. FISHMAN. That is right. Conceivably a man could require more than one copy.

Mr. ARENS. How long have you been in the customs service?

Mr. FISHMAN. 29 years.

Mr. ARENS. Have you ever in the course of the history of your experience seen a single item of foreign Communist propaganda coming to the United States which was labeled Communist propaganda, pursuant to the provisions of the Foreign Agents Registration Act?

Mr. FISHMAN. Never in commerce or in any of the importations we have examined, and we have examined quite a number of them.

Mr. ARENS. Now, tell us, if you please, something of the volume of the Communist propaganda which is hitting our shores from abroad. First of all, is it increasing or decreasing?

Mr. FISHMAN. It has been on the increase steadily, fluctuating, of course, on the issues before the American public and also depending on the increase in the printing facilities in the satellite countries. Important issues before us in the United States frequently bring out a heavy influx of this printed material, and it has been for the past several years on the increase.

Mr. ARENS. What are the statistics in general on the volume of foreign Communist propaganda hitting our shores over the course of any given period of time?

Mr. FISHMAN. We have completed our statistical report for 1956. We know that the Post Office Department here has turned over to us in New York for examination as suspected of containing political propaganda, 2,546,000 packages of mail during the year 1956.

Mr. ARENS. How many individual items would there be in a package?

Mr. FISHMAN. Our estimate is that these packages contain approximately 3 copies each. Of course, there are many packages which con-

tain only one copy, and there are some packages which contain 50. In order to maintain these statistics we have reported that there were 4,429,000 individual printed books, pamphlets, periodicals, and so on, in the 2,546,000 packages. That was at the port of New York alone.

Mr. ARENS. What are the statistics nationwide?

Mr. FISHMAN. We have to add for San Francisco for 1956 some 656,000 packages containing over 2 million individually printed items. Chicago, 259,000 packages containing some 373,000 items, making a total for 1956 of 3,460,000 packages of mail containing some 6,947,000 individually printed items.

Mr. ARENS. These 7 million items of foreign Communist propaganda are only those items of foreign Communist propaganda which are identifiable because of their mail status, isn't that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. You do not inspect and have access to first-class mail, do you?

Mr. FISHMAN. No, we do not. We do not examine first-class mail.

Mr. ARENS. Tell us now, if you please, sir, the language in which these items appear.

Mr. FISHMAN. The usual type of publication comes into the United States in some 13 languages. New Times, for example, we did not get a complete collection of, but the flysheet shows this is a weekly journal appearing in Russian, English, French, German, Spanish, Polish, Czechoslovakian, Rumanian, Hungarian, and Swedish.

Mr. SCHERER. How many languages is that?

Mr. FISHMAN. That would be 10 in the New Times. Some of these other publications claim that they come out in 11 and 13 languages, and so on.

Mr. ARENS. Are they beamed principally to the foreign language nationality groups in the United States?

Mr. FISHMAN. The one I was looking at is in English. The others printed in these foreign languages are beamed to the people who have their national heritage in the country of the language.

Mr. ARENS. I want to be sure this record reflects the volume. Do I interpret correctly what you have said that during the course of 1956 there were approximately 7 million items of Communist propaganda from abroad that were processed as such through the customs? Is that correct?

Mr. FISHMAN. That is correct.

Mr. SCHERER. And none of those was labeled under the Foreign Agents Registration Act?

Mr. FISHMAN. We have never seen any labeled at all. Actually, as has been pointed out here, the requirement for labeling does not attach until after the registered agent here disseminates it. That presupposes that the agent decides what is political propaganda and labels it accordingly.

Mr. ARENS. Mr. Fishman, under the Attorney General's opinion of December 1940, if a person representing, say, the Soviet Union in Soviet Russia beams into the United States foreign Communist political propaganda which he has not labeled, and if he is not registered, that material would be subject to confiscation, would it not?

Mr. FISHMAN. That is right.

Mr. ARENS. In addition to these 7 million items which you have identified, you have an indeterminate amount which comes in first class?

Mr. FISHMAN. That is right.

Mr. ARENS. You have no idea of ascertaining that?

Mr. FISHMAN. We could only make an estimate. The reason we can make some estimate is because of a problem we had some months ago with the "return to the homeland" program. We had occasion in connection with that situation to look at some of the first-class mail, and we did it by a method available to us under the law. The law provides that if we find in the first-class mail any material which may be dutiable or which may be of a prohibited nature, that we may communicate with the addressees and ask permission to open the parcel or first-class piece of mail. In that situation we did open some first-class mail, mostly at the request of the addressees who did not want to receive it, and we found quite a sizeable quantity of propaganda in the first-class mail. We could not estimate any amount because the volume of first-class mail far surpasses the volume of ordinary mail and airmail that we have referred to here.

Mr. ARENS. In addition to your 7 million items and the indeterminate amount that comes in first-class mail, do you also have another volume of Communist political propaganda which you cannot appraise from the standpoint of volume, namely that which comes to the consulates and embassies and diplomatic personnel in the United States?

Mr. FISHMAN. The assistant collector has just made a little note to remind me of that. There is the diplomatic mail to which we have no access.

Mr. ARENS. Do you have any idea what the volume of diplomatic mail is?

Mr. FISHMAN. We could not estimate that.

Mr. ARENS. Under the applicable interpretation of the existing law, persons in diplomatic status are immune from registration, are they not, and from labeling?

Mr. FISHMAN. That is right.

Mr. ARENS. In other words, the Ambassador from Soviet Russia in Washington, D. C., so far as the existing law is concerned, could receive an unlimited quantity of Communist propaganda and disseminate it in the United States without registering, without requiring it to be labeled, is that correct?

Mr. FISHMAN. The exemptions contained in the act provide that the requirements hereof shall not apply to the following agents or foreign principals: (a) A duly accredited diplomatic or consular officer of a foreign government who is recognized by the Department of State while said officer is engaged exclusively in activities recognized by the Department of State as being within the scope of the functions of such officer.

Mr. ARENS. The State Department has ruled, has it not, that it is a proper diplomatic function for the Iron Curtain diplomats in the United States to disseminate Communist propaganda in this country? Isn't that right?

Mr. FISHMAN. I believe so.

Mr. MOULDER. Repeat that, please.

Mr. ARENS. The State Department has interpreted the provision of law which you have just read as prohibiting a requirement of registration and labeling against diplomats in the United States, irrespective of the amount or nature of the Communist propaganda which they disseminate, isn't that correct?

Mr. FISHMAN. That is correct. I would perhaps phrase it a little differently in saying that the State Department does not require these people to register.

Mr. ARENS. They do not require them to register because they construe this language in the Foreign Agents Registration Act as giving the diplomatic personnel an exemption from labeling Communist propaganda which they disseminate, isn't that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. They would therefore have to conclude that it is a proper function of a diplomat within the United States to disseminate Communist propaganda, isn't that correct?

Mr. FISHMAN. I would draw that conclusion.

Mr. ARENS. That is the only conclusion that could be drawn from that language, isn't that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. The Justice Department has repeatedly taken issue with the State Department on that score, have they not?

Mr. FISHMAN. I understand a year or so ago that was one of the issues raised.

Mr. ARENS. In other words, the Justice Department has repeatedly taken the position that it is not a proper function of a diplomat in the United States to disseminate political propaganda without labeling that Communist propaganda as such, isn't that correct?

Mr. FISHMAN. That is right.

Mr. ARENS. I should like to ask you, still on the item of volume, does the Foreign Agents Registration Act have any applicability to Communist propaganda originating in the United States domestically?

Mr. FISHMAN. There are no requirements in the Foreign Agents Registration Act which apply to that type of propaganda.

Mr. ARENS. Does the Foreign Agents Registration Act have applicability to Communist propaganda which goes in transit across the United States from one country to the other?

Mr. FISHMAN. Only to the degree that a request is made by the receiving country of this Government to withhold it from the United States mails.

Mr. ARENS. The applicable international conventions provide, do they not, that if the recipient government tells the Government of the United States that it does not want to receive Communist political propaganda which goes in transit through our Nation, that our Nation can confiscate the Communist propaganda? Isn't that correct?

Mr. FISHMAN. That is right. I would like to read the provision:

The Postmaster General may declare to be nonmailable any communication or expression falling within clause 2 of section 1 (j) hereof, in the form of prints or in any form reasonably adapted to or reasonably appearing to be intended for dissemination or circulation among two or more persons which is offered or caused to be offered for transmittal in the United States mail to any person or persons in any other American republic by an agent of a foreign principal if the Postmaster General is informed in writing by the Secretary of State that the duly accredited diplomatic representative of such American republic has made

written representations to the Department of State that the admission or circulation of such communication or expression in such American republic is prohibited by the laws thereof and has requested in writing that its transmittal thereof be stopped.

Mr. ARENS. What is the volume of Communist political propaganda that is going in transit between one Iron Curtain country and some recipient country which they want to influence—going in transit across the United States?

Mr. FISHMAN. We had occasion recently to make some observations in New Orleans, La., and there were some 300,000 bags of mail a year carried in transit through that port.

Mr. ARENS. Has there been in the history of your experience a single incident in which the United States Government through the State Department has alerted some other country that "You are receiving tons of Communist propaganda going through our country; would you please request us through diplomatic channels to confiscate it?"

Mr. FISHMAN. I know of no such request.

Mr. ARENS. But the law and international conventions contemplate just such action, do they not?

Mr. FISHMAN. That is right. There is one difficulty, not actually a difficulty, but an observation in connection with that matter, and that is that there is a Universal Postal Convention, and actually the difficulty arises from a definition of what is open and closed mail. There is some question as to whether most of this mail in transit through the United States is in the closed-mail status as compared to the open-mail status. I know of no representation that has been made to any of the South American Republics in connection with this matter.

Mr. ARENS. The fact is, is it not, Mr. Fishman, that there are tons of Communist propaganda every month going from Mexico in transit through the United States down to the South American Republics?

Mr. FISHMAN. That is correct.

Mr. ARENS. And it is a fact, is it not, that the present law, if the State Department would alert countries of South America, provides a means by which the Communist propaganda can be stopped?

Mr. FISHMAN. That is correct.

Mr. ARENS. But to your knowledge, has the State Department or has any official of the Government of the United States in State Department status moved one inch to try to stop it?

Mr. FISHMAN. No. The committee has made the suggestion.

Mr. ARENS. What committee?

Mr. FISHMAN. This House Un-American Activities Committee has made the suggestion, and some reports with regard to the transmittal mail have been prepared for consideration by the administrative agencies.

Mr. ARENS. To what extent is this Communist propaganda concerning which we have been discussing this morning actually carried at the expense of the United States taxpayers?

Mr. FISHMAN. You are referring to the transit mail?

Mr. ARENS. First of all, let us take the transit mail. To what extent are the taxpayers of this country paying for the shipment of Communist political propaganda across this country to service the objectives of the international Communist conspiracy?

Mr. FISHMAN. I am not in a position to give specifics on that. The Post Office Department has given some information to the effect that

the sending country does pay part of the cost of the transportation of this mail through the United States. Of course, there is not any question at all that the United States Post Office Department bears a portion or a percentage of this cost.

Mr. ARENS. In other words, the United States taxpayers do pay at least a portion of the transportation cost for the Communist propaganda which the law provides can be stopped if someone would get an action, is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. Mr. Fishman, who are the recipients of this Communist foreign political propaganda which is hitting our shores?

Mr. FISHMAN. Of course, there is a small portion of this material which is sent pursuant to subscription and request by people engaged in research, by the press.

Mr. ARENS. That is completely beyond the purview of the Foreign Agents Registration Act, is it not?

Mr. FISHMAN. That is right. In addition, there is the volume of this material which goes to the registered agents. Apart from that a good deal of it is sent to areas where the populace is of foreign origin. That would cover the general run-of-the-mill type of publication, like New Times, News, and Soviet Union, and so on, which comes in every week and every month and every day.

In addition to that, of course, we find that wherever a domestic issue arises in the United States, specific material is prepared concerning that issue, and it is sent generally to the area in the United States where the issue is most important. The method of addressing the material used gives the impression that the senders either obtain copies of our classified telephone directories in the United States or that they have access to membership lists of many foreign organizations. For example, we have observed in Chicago that a good deal of material was sent to and blanketed those people who are members of the American Polish Congress. There were some 25,000 members, I think, or more, and a particular publication dealing with an issue which had some connotations to the country of Poland was sent to every one of those people.

Mr. ARENS. Do the schools, colleges, institutions of that character in the United States, receive this material?

Mr. FISHMAN. A good portion of this material, some of which we have here as exhibits, is beamed at the students in the United States. They specifically concern student activities. Those are sent to every college in the United States and to every student organization connected with a college.

Mr. ARENS. Mr. Fishman, could you tell us a word about the country of origin? It is a fact, is it not, that much of this Communist propaganda from abroad is devised in non-Communist countries so as to disguise the fact that it is actually Communist propaganda?

Mr. FISHMAN. Our experience has been that a good deal of this material is transhipped from one country to another and reaches the United States from areas that are not in the Soviet bloc.

Mr. ARENS. In other words, the recipient would see a publication which would appear to have been published, say, in London or in Paris, rather than behind the Iron Curtain, is that correct?

Mr. FISHMAN. That is right.

Mr. MOULDER. I believe the hearings in New Orleans revealed—when you referred to student organizations—that much of this propaganda was personally addressed to members of student organizations.

Mr. FISHMAN. That is right. It is surprising the ease with which the senders of this material obtain the names of people. They just blanket a complete area, writing to each one separately.

Mr. ARENS. I should like to ask you something about the cost of these publications. Does the individual recipient pay a cost or pay a price commensurate with the value of the commodity, the magazine?

Mr. FISHMAN. It would not appear so. As a matter of fact, most of this is sent unsolicited or without any fee at all. But even those that you can subscribe to sell for prices which obviously are way out of proportion to cost, especially since most of these publications contain no advertising at all. "Rumania Today," "Poland," and U. S. S. R." are comparable to Life magazine, which sells in the United States for 25 cents or 20 cents, but has loads of advertising to subsidize the cost.

Mr. ARENS. Did I ask you what percentage of these publications are in foreign languages?

Mr. FISHMAN. We would estimate that about 60 percent of the publications are in foreign language.

Mr. MOULDER. When you say comparable to Life magazine, you mean insofar as the cost is concerned?

Mr. FISHMAN. The format appearance, paper and so forth.

Mr. MOULDER. The cost of production.

Mr. FISHMAN. The cost of production would in my opinion approximate that of Life magazine.

Mr. ARENS. Do you have information, Mr. Fishman, in addition to this Communist-printed propaganda, of the importation into the United States of plates from Soviet bloc countries which are suitable for reproduction of Communist propaganda in the United States?

Mr. FISHMAN. We have had some experience with the importation of the actual plates from which can be reproduced some of this same material that we find in the magazines and newspapers.

Mr. ARENS. How about films?

Mr. FISHMAN. There are regular importations of motion-picture films consigned to registered agents here in New York.

Mr. ARENS. Could you tell us, if you please, something about the content of these various publications, the groups to which the publication is beamed and the line of the publication?

Mr. SCHERER. May I interrupt just a minute? You referred to the magazine entitled, "Soviet Union". It has no advertising, has it, Mr. Fishman?

Mr. FISHMAN. None at all, except advertising in connection with the sale of the magazine.

Mr. SCHERER. No commercial advertising such as we find in Life magazine or Look?

Mr. FISHMAN. No, none of these have any advertising at all.

Mr. SCHERER. The Soviet Union comes in how many different foreign languages?

Mr. FISHMAN. About 11, I think. Some 11 languages.

Mr. SCHERER. Since it has no advertising, it is obviously printed for consumption in other countries because advertising would not do any good in the magazine.

Mr. FISHMAN. That is right. We think in many instances this material is printed specifically for dissemination abroad and not for local or domestic consumption.

Mr. SCHERER. That would be indicated by the fact that it does not have any advertising.

Mr. FISHMAN. Yes, that is right. In reference to the contents of this material, I would like to talk specifically about some of the English-language material, and if there is some question about the foreign-language material, we have brought with us the supervising translator who can give us some information on that.

Mr. ARENS. I wonder before you start on that, if it would be convenient for you now, to identify these mail sacks that are behind you here?

Mr. FISHMAN. At the suggestion of your staff—

Mr. ARENS. We asked you to bring typical mail sacks full of material to be processed.

Mr. FISHMAN. We brought a number of mail sacks as they were submitted to us by the Post Office Department.

Mr. ARENS. Have you mail sacks there that you have never opened or checked?

Mr. FISHMAN. We have had no opportunity to examine the contents of them.

Mr. ARENS. Would you pick out there, Mr. Fishman, just a typical mail sack, any one of them, and open it now in the course of this hearing and describe the material as you see it there, as it arrives at the shores of this country?

Mr. SCHERER. Do I understand these mail sacks here have not been inspected by anyone in this country?

Mr. FISHMAN. We have not had a chance to get into them yet. These are very current arrivals.

Mr. ARENS. These are mail sacks of bulk mail coming from Iron Curtain countries consigned to people in the United States?

Mr. FISHMAN. Yes. We have access to it, and we can examine it.

Mr. SCHERER. These sacks were selected at random from recent shipments?

Mr. FISHMAN. That is right. We receive every day, as I mentioned, a quantity of these mail sacks that come to the United States to this area from Soviet bloc countries. This lot was selected from last Thursday's or Friday's batch of mail.

Mr. MOULDER. Who was the consignee or addressee in this case?

Mr. FISHMAN. This is ordinary mail and we have access to them without the consent of the addressees.

Mr. ARENS. There is no first-class mail. This is open mail.

Mr. FISHMAN. Not only that; but the law provides that the sender waive the privacy of the seal so we can examine it to see what it contains. Most of this is fourth-class mail, parcel post.

Mr. MOULDER. Where is it consigned?

Mr. FISHMAN. This would be in the four-State area around New York.

Mr. MOULDER. Are all the packages in there addressed differently?

Mr. FISHMAN. That is right.

Mr. ARENS. Would you proceed to tell us about packages as you see them from that typical mail sack from the Iron Curtain bloc?

Mr. FISHMAN. These are individually addressed articles to Rochester, N. Y. This batch is all for Rochester, N. Y.

Mr. ARENS. Can you tell what it is?

Mr. FISHMAN. This is from the Soviet Union. The Literary Gazette in the Ukrainian language, a publication which has consistently contained Communist propaganda.

Mr. ARENS. It is not labeled?

Mr. FISHMAN. Nothing at all. These are some publications addressed to New York. I think we can mention that these things are addressed to the Communist Party of the USA.

Mr. SCHERER. I didn't hear what you said last.

Mr. FISHMAN. It is addressed to the Communist Party of the USA. The Home Front and Labor's Work.

Mr. ARENS. What is that package you just opened?

Mr. FISHMAN. This is a package containing 11 copies of New Times in the Russian language, volume 32, 1956.

Mr. SCHERER. To whom is that package addressed?

Mr. FISHMAN. That is addressed to an individual in Jacksonville, Fla.

Mr. ARENS. Is there any label on it indicating that it is Communist propaganda?

Mr. FISHMAN. Nothing at all. There are no postage stamps on this. This is registered mail.

Mr. ARENS. Is the individual recipient who is to get the several copies of the magazine you just had in your hand a registered agent?

Mr. FISHMAN. No; he is not.

Mr. ARENS. Wouldn't it cross your mind with all that stack of magazines he might be disseminating Communist propaganda in Florida?

Mr. FISHMAN. We would suspect that.

Mr. ARENS. For practical purposes, Mr. Fishman, the Foreign Agents Registration Act labeling requirement at the moment is just a joke?

Mr. FISHMAN. As far as their effectiveness is concerned, it would appear that way.

Mr. ARENS. In your 29 years' service with the Customs Bureau you have yet to see a single item of Communist propaganda labeled as such; isn't that correct?

Mr. FISHMAN. Since I am sworn, I would like to amend that by saying I have seen some copies of this in the Library of Congress which were labeled. These were sample copies which were sent to the Library of Congress for their use.

Mr. ARENS. I mean the imported matter.

Mr. FISHMAN. I have never seen anything that was labeled in any of the imports.

Mr. ARENS. Here are two items purchased by one of the investigators of our committee the other day. One is from a registered agent, and one from a nonregistered agent here in the New York area of the same publication, Soviet Union 1957. Neither one of those is labeled in accordance with the provisions of the Foreign Agents

Registration Act. Can you give us an accounting as to why that situation would prevail?

Mr. FISHMAN. I would assume that the registered agent who imported this just did not label it.

Mr. ARENS. And the nonregistered agent just did not label it, either; did he?

Mr. FISHMAN. That is right.

Mr. SCHERER. For the record, in your opinion and from your knowledge of the law, Mr. Fishman, that literature which you have just told us about should be labeled under the Foreign Agents Registration Act.

Mr. FISHMAN. It contains political propaganda and definitely comes under the Foreign Agents Registration Act.

Mr. ARENS. Mr. Fishman, would you proceed with your description of the various items of foreign Communist propaganda in this typical mail sack?

Mr. FISHMAN. We have opened this package. It contains five books in the Russian language, title of which is "How Steel Was Tempered" by Astrovsky. "How Steel Was Tempered" is not a technical book on the manufacture of steel. It is merely a title which was given to a piece of fiction. We have consistently found this, and we have reported this to contain a considerable amount of Communist propaganda.

Mr. ARENS. It is almost ludicrous to ask you, but do you see any labeling that it is Communist propaganda?

Mr. FISHMAN. No. I was wondering whether this was legally marked to show country of origin. I don't see that.

Mr. ARENS. To whom is that package destined?

Mr. FISHMAN. It happens to be addressed to a bookstore.

Mr. ARENS. Where?

Mr. FISHMAN. On the west coast.

Mr. SCHERER. No wonder we have a \$500 million deficit in the post office. Do you know what proportion of the cost of handling that mail is borne by the United States Government?

Mr. FISHMAN. In this case, all of this mail has postage prepaid. There is one additional cost that is paid by the United States Post Office Department, and that is the delivery in the United States. The postage is paid to the United States. We pay the delivery part here.

Mr. SCHERER. But what we get does not compensate us for the cost of handling that mail.

Mr. FISHMAN. No, it does not.

Mr. ARENS. Mr. Fishman, do you have the statistics on the amount of foreign Communist propaganda which has been confiscated by our authorities at ports of entry either because it actually called for the forcible overthrow of the Government of the United States, insurrection or rebellion, or because it was in violation of certain provisions of the Foreign Agents Registration Act which put it in a status of being subject to confiscation?

Mr. FISHMAN. Over any given period?

Mr. ARENS. Yes. In the course of the last year how much of this Communist propaganda from abroad has actually been confiscated by our authorities?

Mr. FISHMAN. I don't think I have New York statistics. I have the report here on San Francisco. The Post Office Department confiscated some 62,000 parcels of mail in 1955. I did not bring all of my statistics with me.

Mr. ARENS. Would the confiscation over the course of the last year run as high as a million pieces of items of Communist propaganda?

Mr. FISHMAN. I would assume very easily that.

Mr. ARENS. Because those million items are items which advocate the forcible overthrow of the Government as distinct from the more subtle type of propaganda?

Mr. FISHMAN. No. I am sorry I did not get the force of your question. We find very little of that.

Mr. ARENS. Of the forcible overthrow type?

Mr. FISHMAN. Of the forcible overthrow. We have not found any that we could specifically describe as recommending or advocating the forcible overthrow of the United States. That would give us a new type of action, because we could bring the offender directly under the Tariff Act and penalties there are lots heavier than merely requiring the thing to be labeled.

Mr. ARENS. They are more subtle in the propaganda?

Mr. FISHMAN. All of this material contains political propaganda as that term is defined in the Foreign Agents Registration Act. The forcible overthrow of the United States is very carefully avoided. The people who prepare this propaganda, I would imagine, have a copy of section 305 on the desk in front of them as they write it so as to make sure they do not get involved with that, because there we have some real teeth in the law.

Mr. ARENS. Apparently even though they have a copy of the Foreign Agents Registration Act before them, it does not make much difference.

Mr. FISHMAN. They ignore that, but they pay attention to the Tariff Act.

Mr. ARENS. What material was confiscated? I am a little uncertain about that.

Mr. FISHMAN. All of this material that was sent either unsolicited, consigned to people who were not registered agents, material which we felt should not be released because of one of the several reasons I just mentioned. For the most part, most of this material has been sent unsolicited.

Mr. ARENS. Tell us a little about the content. You were saying a moment ago that virtually all of this material, if not all of it, is in that status which does not advocate the forcible overthrow of the Government, but is more subtle. What is the line that is propagated by this material?

Mr. FISHMAN. Generally speaking, most of this material intends to aid the foreign governments preparing it.

Mr. MOULDER. Do you mean it promotes the foreign philosophy or Communist philosophy?

Mr. FISHMAN. That is right. It tries to explain and indoctrinate people with their thinking and philosophy. It generally points up the advantages of the Communist way of life.

In addition to that, of course, every once in a while, or in most every publication, there is some reference to something which the United States or its allies is doing which is so wrong that it is obvious.

Mr. ARENS. What do they have on Hungary and the revolt in Hungary?

Mr. FISHMAN. Very recently there has been a real effort to explain the situation in Hungary. Some new publications have just been printed: for example *The Events in Hungary*. Any number of individually printed pamphlets and information bulletins are sent here. This one is entitled, "Some Facts on Soviet Assistance to Hungary." This one is entitled, "The Hungarian Working People Will Uphold Their Socialist Gains." This one is entitled, "The Kind of Freedom Reaction Wanted for Hungary."

This is a complete pamphlet entitled, "What Has Happened in Hungary." It gives the entire story about what actually happened in Hungary, Communist thinking, of course.

Mr. SCHERER. Those accounts differ considerably from the reports we receive in the United States press.

Mr. FISHMAN. Yes, from the factual reports.

Mr. ARENS. What is the line with reference to germ warfare in Korea?

Mr. FISHMAN. Of recent years or the last year or so, there has not been any effort to prove that germ warfare was actually employed. But for a time there was a considerable quantity of germ warfare material sent to the United States.

Mr. ARENS. What is the line on Red China and its admission to the United Nations?

Mr. FISHMAN. There has been consistent reference to this. *New Times*, for example, of January 24, 1957, talks about the joint Chinese-Soviet declaration and emphasizes the strengthening of friendly co-operation, condemns the aggressive imperialist group for intensifying the cold war against China.

Mr. ARENS. Have you had an occasion to observe the reproduction of the essence of any of this material in domestic foreign language publications?

Mr. FISHMAN. In the field we are in, we do have occasion to observe what is happening on this side, and much of this material is reproduced. As a matter of fact, a good deal is addressed to the foreign language press that publishes a lot of this propaganda.

Mr. ARENS. It would be a domestic variety of the line that would be received from the foreign Communist press, is that correct?

Mr. FISHMAN. That is right.

Mr. ARENS. Do you have other observations to make?

Mr. FISHMAN. I was just going to mention that you had asked before about this attempt to get at the students here. There is right now a drive on to recruit students for a new get-together in Moscow.

Mr. ARENS. Is that the World Youth Festival?

Mr. FISHMAN. Yes, a good deal of printed material is coming in. This is a poster.

Mr. ARENS. The headquarters for that organization is in Chicago, is it not? I have not seen this exhibit.

Mr. FISHMAN. Youth and Students Festival for Peaceful Friendship, Moscow, July and August 1957.

Mr. ARENS. To whom is that material sent?

Mr. FISHMAN. This is sent to every college and university in the United States. This refers to a meeting that is just over. "The International Day of Youth and Students Against Colonialism. Let us

jointly struggle against colonialism for national independence and national education and culture." This was on February 21 last.

Mr. ARENS. Now, Mr. Fishman, do you have some other observations to make with respect to the exhibits?

Mr. FISHMAN. We have submitted to members of the committee some samples of this material. I can refer to them. In Labor, No. 20, there is an article on page 4 which reads approximately as follows: "The U. S. wants to turn other countries into atomic bases." A declaration in Tass written in strong anti-American terms accuses the United States of the creation of international tension and danger of war. The recent President's message on economic situation tries to present the American economy as a failure. A report from Vienna discussing a recent speech of the Austrian Chancellor suggesting Hungarian neutrality calls an unceremonious meddling in international affairs of the Hungarian people by the United States.

The People's Daily of Peking, China, claims that the United States intends to establish a new airbase on Formosa and the United States Embassy in Formosa will spend \$25 million on new military airbases.

Mr. ARENS. In what language is that publication?

Mr. FISHMAN. Chinese. It has an editorial which is a comment on the Eisenhower doctrine and condemns it as nonsense; indicates the United States opposition to Soviet Union and Communists. It charges that the United States of America is a real invader. It is beamed at people of Chinese heritage who don't read American newspapers.

That is the difficulty, that most of these foreign language newspapers are sent to people who have no opportunity to read American newspapers. They either have no opportunity or just don't take the American paper.

Mr. ARENS. They are generally beamed to people who are nationals of the country in which the propaganda originates?

Mr. FISHMAN. That is right.

Mr. ARENS. Mr. Fishman, we have discussed here today the Foreign Agents Registration Act from the standpoint of it being virtually ineffectual or at least clearly ignored. What suggestions could you make to this committee so that the present provisions of the Foreign Agents Registration Act and the present intent would be consummated?

Mr. FISHMAN. I do not intend to state the official position of the Treasury Department or the Customs Bureau, but personally and from my experience with this work, I think it would be of considerable value, first to have the law designate the agency responsible for this work that we are doing. Right now, as I mentioned, it is a joint responsibility of three administrative agencies, and because of budget difficulties it is frequently difficult to act.

Mr. ARENS. What three agencies are they?

Mr. FISHMAN. The Post Office Department, Justice Department, to whom we go for advice in connection with this work, and the Treasury Department or Bureau of Customs.

Mr. ARENS. Do you have the State Department in there?

Mr. FISHMAN. All of the administrative agencies are to some extent concerned with this problem. We get into the picture because the

issue of importation is involved there, and wherever the term importation crops up, the Customs Service immediately becomes involved in the enforcement. So I think it would be an advantage to have the law and the Congress designate the agency concerned.

I think then budgetwise we would be in a better position to do our work.

Mr. ARENS. Would it be helpful if the law provided that anyone, irrespective of his status, diplomat, nondiplomat, or whoever he was, who was engaged full time in disseminating Communist political propaganda from abroad in the United States must register and must label the material?

Mr. FISHMAN. It would be of help in enforcing the law.

Mr. SCHERER. Why did you say full time?

Mr. ARENS. To distinguish from a person who might happen to pick up a few copies of some magazine and give it to a friend. That exception would have to be made, would it not, Mr. Fishman, in order to have it practicable from the standpoint of law enforcement?

Mr. FISHMAN. Yes; that is right. We think it would be helpful also if a new definition of the requirement for labeling were put into the law, one, perhaps, that would attach the requirement at the time of importation, rather than at the discretion of the registered agent who disseminates the information. Right now we are policing the thing after the agent has access to the material. We are going out after he has got it to see whether he is violating the law.

Mr. ARENS. And it is virtually impossible to do that unless you were to have an army of inspectors.

Mr. FISHMAN. It is almost impossible right now to make any attempt to do that.

Mr. ARENS. Because an agent who would receive it in Kansas City, Mo., disseminate it throughout the Midwest, would not be in such a position that you would have access to him or to study his operation.

Mr. FISHMAN. That is right. Then one very important thing in connection with that is that it puts the agent in the driver's seat. It gives him an opportunity to define what is political propaganda as he understands it. He can very well claim that he is labeling what he considers to be political propaganda, rather than what we might consider it under the law.

Mr. ARENS. How about your manpower, Mr. Fishman?

Mr. FISHMAN. For the three units that we now have in operation, our manpower does a pretty good job. We think we have about enough to carry these units. Actually, as I mentioned, we are unable to do more because of our budget. If we were able to, budgetwise, we could set up additional units and do a better job of keeping this material in accordance with the law.

Mr. SCHERER. You would recommend, then, that this material be labeled when it reaches you at the port of entry?

Mr. FISHMAN. Before actual release.

Mr. SCHERER. Before release from where?

Mr. FISHMAN. From customs custody. There are provisions of law which we now enforce, customs provisions of law; for example, one of them requires that every article of foreign origin be marked to show the country in which it was made. That is a requirement which

attaches at the time of importation. We do not release merchandise until it is properly labeled.

Mr. SCHERER. Who would label these sacks? They would not be labeled when they reach the country.

Mr. FISHMAN. We are trying to get at the registered agent principally. If the agent wanted the material he would come down and label it. It would be subject to seizure at the time of arrival as other material is if it is not properly brought into compliance with existing American law.

Mr. SCHERER. Before you released it, it would have to be labeled?

Mr. FISHMAN. Yes.

Mr. SCHERER. Should it not be labeled by the sender?

Mr. FISHMAN. It would save him a lot of money if he did it abroad. If he takes it apart here and labels it, it will cost a lot of money.

Mr. SCHERER. And if it is not labeled, you confiscate it.

Mr. FISHMAN. That is right.

Mr. ARENS. How about the flood of material that is going in transit? What could you suggest so that that could be either labeled or confiscated?

Mr. FISHMAN. It would require actually that the receiving country make its representations to the State Department and in turn to the Post Office Department so that we can effectively stop it from coming through the United States.

Mr. ARENS. If someone in the State Department in diplomatic status would call the officials of Peru and say in effect, "Gentlemen, there are tons of Communist propaganda going through the United States beamed at your country; do you want that material to come in or do you want us to confiscate it?" there might be something accomplished, don't you believe?

Mr. FISHMAN. That might be helpful.

Mr. SCHERER. Shouldn't there be some label attached to that material that goes through this country for transshipment?

Mr. FISHMAN. The law is pretty specific on the requirements and I think they apply to the United States rather than to any other foreign country. This material is actually intended for ultimate destination in South American countries.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that would conclude the staff interrogation of this witness, and we have one more witness for this morning.

Mr. LAUGHLIN. Mr. Chairman, I had one point I wanted to make; In Mr. Fishman's division the parallel may not have occurred, but it seems to me that a very close parallel in our work comes with the labeling requirements. You mentioned the Pure Food and Drug Act. We also have on import the labeling requirement on all alcoholic beverages. There you have a licensee importer. He has to be licensed to import it. But if the label on those bottles does not tell the purchaser what he is entitled to know—what is in the bottle—it is not released by customs. It should be done abroad. If not done, he has an opportunity to come and relabel it, and make the label proper before we release it from custody.

Mr. SCHERER. These items to which you are now referring, foods, drugs, and so forth, that are imported, aren't they labeled by the manufacturer or by the sender before they come into this country?

Mr. LAUGHLIN. Yes, sir, and if improperly labeled, we hold them until they are relabeled properly.

Mr. SCHERER. Why couldn't we, then, in this respect require that these articles as they come to us into this country be properly labeled?

Mr. LAUGHLIN. That is, I think, what you are driving at, Mr. Fishman.

Mr. SCHERER. Why should we give them an opportunity to come here and relabel them and add further costs to our mail?

Mr. FISHMAN. That is right. It would be simple to do it at the time. The issue whether it is in interstate commerce and so on is frequently raised here.

Mr. ARENS. Have you gentlemen in your activities acquired information respecting the estimated annual expenditures of the Soviet Union and its satellites on foreign Communist political propaganda?

Mr. FISHMAN. We have not, but it is astronomical.

Mr. ARENS. It runs about \$3 billion a year.

Mr. FISHMAN. That is what I heard.

Mr. SCHERER. That was the testimony of the USIA which testified before us.

Mr. FISHMAN. That is right.

Mr. ARENS. About \$3 billion a year the Soviet Union and its bloc is spending on foreign Communist propaganda.

Mr. SCHERER. Of course, all that does not come into the United States. That goes all over the world.

Mr. ARENS. \$400 million a year in India.

That would conclude the testimony of these witnesses, and we have just one more witness this morning, if you please.

Mr. MOULDER. We wish to thank you, Mr. Laughlin. We express our complimentary opinion of the efficient work which you are doing with the limitations that may be imposed upon you as a result of lack of certain amendments or corrections that should be made in the law of our country. I also wish to commend and praise Mr. Fishman for the work he has been doing in his official capacity, as well as your splendid cooperation in appearing before this committee as you have, and making the recommendations you have, which will be of great importance and assistance to this committee in recommending remedial legislation for Congress to act upon.

I also want to comment upon the splendid manner in which you prepared these documents for the committee staff and the members of the committee to examine. It is certainly most unusual, and the first experience that we have had with such efficient service on the part of public officials.

Mr. FISHMAN. Thank you very much.

Mr. LAUGHLIN. Thank you very much.

Mr. MOULDER. Thank you. You are excused.

(Witness excused.)

Mr. ARENS. Mr. Serge Buteneff. Will you be sworn.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUTENEFF. I do.

TESTIMONY OF SERGE BUTENEFF

MR. ARENS. Kindly identify yourself by name, residence, and occupation.

MR. BUTENEFF. My name is Serge Buteneff. I live in New York City, and I am administrative assistant to Mr. Fishman in the restricted merchandise section.

MR. ARENS. Would it be convenient for you to keep your voice up just a bit?

MR. BUTENEFF. Shall I repeat?

MR. ARENS. Yes.

MR. BUTENEFF. My name is Serge Buteneff. I am a resident of New York City. I am assistant to Mr. Fishman in the restrictive merchandise division. I am in charge of the office which reviews all the propaganda material coming into this port.

MR. ARENS. Do you have a specialty in any particular language or languages?

MR. BUTENEFF. Yes; I do. I know Russian, Polish, French, and I understand other Slavic languages.

MR. ARENS. Mr. Buteneff, I understand you can testify in summary form, giving the committee a better insight into the content of some of this Communist foreign political propaganda which is coming into the United States at this port of entry.

MR. BUTENEFF. I will try to explain approximately what is our problem here. Of course, the problem is so great that it is impossible to do it in a very few moments.

As we all know, the propaganda as viewed by the Communist world is one of the main weapons they utilize to subvert and to ultimately make their world conquest.

What I would like to say, first, is that propaganda is beamed at all sorts of people—intellectuals, nonintellectuals, foreigners, and Americans. Therefore, it covers almost every possible subject or aspect of life or problem which we can think of. Generally speaking, propaganda could be divided into, let us say, theoretical and to religious, political, anticolonial and anticapitalist, economic, and so on and so forth. There are so many subdivisions in the types of propaganda we receive here. Yet all of them and each of them can be divided into 2 categories, 2 main categories. One of them is the direct propaganda and the other is the indirect propaganda.

MR. MOULDER. May I interrupt you at this point?

(Discussion off the record.)

MR. BUTENEFF. As I was saying, there is the direct and indirect propaganda. To us, personally, those who review the material, the biggest problem is the indirect propaganda, because this is the one which is most noticeable.

(Mr. Moulder left the room.)

MR. BUTENEFF. I would like, also, to point out that approximately 90 percent of all printed periodical material coming into the United States is published in foreign languages. Only about 10 percent of it is in English. This to me, personally—of course, I speak from my personal point of view—means that actually a great effort right now is being made by the Communist countries in order to infiltrate the so-called minorities in the United States. They send them not only

what we have discussed in the other hearings, the "return home" type of propaganda, but they actually do send them material which is consumed and which is distributed within the particular country, knowing that actually here in the United States those minorities are sentimentally or sometimes even familywise linked with their former country.

I know from my own experience again, speaking to some of the people who do receive and who do read some of this material, that even when they discard that obvious propaganda material which you can find in a magazine, this magazine represents to them a sort of sentimental item which arrived from their former home. In this publication they have in front of them they look for news from home, what is going on, the activities, how people live. Of course, that creates a nostalgia which later on becomes so big that sometimes it is very difficult for them to continue to discard the propaganda material which first was so obvious to them and later on slowly becomes more real.

Also, I would say that when they read American papers on the activities in Soviet Russia and they get only one point of view, they get the American point of view. When they get the same news from a local paper, they have the impression of sort of looking or peeking through a keyhole and seeing a family going through its daily life, happiness and sorrows and so on, and they have the impression that they have a real picture of what is going on in the given country.

Of course, I have to stress, also, the point that most of these publications do stress the fact that everything is so wonderfully organized and people are so happy in their countries. Although a given publication might not be essentially designed for the purpose of returning home those who have left the country, very often they have an article or two pertaining to that particular subject, and dealing with that subject, and trying to get the people to come at least as visitors or tourists to look for themselves, and to ascertain for themselves how life is beautiful and actually nothing has changed, and that people are still the same and so on.

Mr. SCHERER. You state these publications represent the people as happy and life being beautiful. I am reminded of the publication that was introduced some time ago in the Chicago hearings, a publication published in Hungary that depicted life as serene and happy and everybody was successful. It was published 3 weeks before the revolution.

Mr. BUTENEFF. I think there is practically no publication dealing with public life in any of the Communist countries which does not represent the life there as being happy and completely satisfactory to everybody.

Mr. SCHERER. That struck home, because we had in our hands in the hearings in Chicago, as I remember, the publication that came out of Hungary that depicted conditions in Hungary just as you have related them; and then we had Chicago newspapers of that very day recounting the atrocities that were taking place, and the unrest that actually existed in Hungary as of that moment. It dramatized just what you are saying.

Mr. BUTENEFF. I would like to say one more thing about this "return home" propaganda which now is found not only in the publications which deal specifically with this problem, but also in other publications. There is a new magazine—a Polish magazine—coming out, which is called *Our Homeland*. It is issued by a society which is called the Polonia Society for Liaison With Immigration. There is no American propaganda in it at all. The only thing they print is the local news, news about various Polish colonies in various countries, trying to get them united, reminding them that wherever they are, they still are Poles, and that they should support the Government in its struggle, particularly right now, for democratization; and they send to their representative organizations here in the United States—there is one, for instance, in New York—books for education of children. They try to help them to educate their children in the true Polish spirit so that they know their language, the history, the traditions. So they infiltrate all these minorities over here.

When I said that 90 percent of the publications are printed in foreign languages, it proves that the main object of this propaganda is to sort of demoralize or to shake the weakest element here in the United States.

Mr. ARENS. To what extent does this propaganda coming from the Iron Curtain bloc undertake to cause the recipients to bring pressure or to influence the Government of the United States in our policies?

Mr. BUTENEFF. I would not be able to say to what extent it does except to say that obviously when a person receives continuously a magazine he starts to long for the country, he starts to understand various problems the way they understand, because he feels himself, as I say about Poles, that he is a Pole, too. Whenever they in their magazine start to defend their point of view on any issue, he starts to think that this is the Polish way of thinking. If he is a good Polish national, he should more or less take the same point of view. Whether he can influence his local authorities to later on influence the policies of the Government, I would not be able to say.

Mr. ARENS. This material is not beamed just at the hard core of the Communist conspiracy of this country?

Mr. BUTENEFF. No. As a matter of fact, I would say that it looks as if the Communist Party of the United States is left alone to make the Communist propaganda by themselves for the Americans.

Mr. ARENS. At the present time we have a little over 20,000 hardcore members of the Communist conspiracy in this country. That is correct; is it not?

Mr. BUTENEFF. I presume so, if you say so.

Mr. ARENS. These are the equivalent of foreign agents on American soil; are they not?

Mr. BUTENEFF. Yes; that is right.

Mr. ARENS. But they are not the ones to whom this propaganda is beamed.

Mr. BUTENEFF. Not entirely. Of course, some of them do receive this propaganda. Most of the propaganda is not beamed at them.

Mr. ARENS. Do you have any other observations or information which you would like to give to the committee?

Mr. BUTENEFF. I think that covers, on the surface, the problems we face ourselves.

Mr. ARENS. I respectfully suggest, Mr. Scherer, that the committee stand in recess for just a few moments because the chairman has an announcement he wants to make as soon as he returns to the hearing room.

Mr. SCHERER. The committee will be in recess for a few minutes. (Short recess.)

Mr. MOULDER. The committee will stand in recess until 2 p. m.

(Whereupon at 11:55 a. m., the committee was recessed, to be reconvened at 2 p. m., this same day. Committee members present: Representatives Moulder and Scherer.)

AFTERNOON SESSION—TUESDAY, MARCH 12, 1957

(The subcommittee was reconvened at 2 p. m. Committee member present: Representative Scherer.)

Mr. SCHERER. (presiding). The committee will be in session.

Counsel, will you call your next witness.

Mr. ARENS. Before calling the next witness, may I respectfully request that this record now show your order of the continuation of subpoenas served on witnesses who were required to appear here at 2 o'clock today until tomorrow morning at 10 o'clock?

Mr. SCHERER. The record will so indicate. All witnesses who were subpoenaed for 2 o'clock today, with the exception of the witness John Lautner, are now excused until 10 o'clock tomorrow morning, and will return tomorrow morning without further notice under the subpoena which has been served on them.

Mr. ARENS. Mr. Lautner, would you kindly come forward and remain standing while an oath is administered to you.

Mr. SCHERER. Will you raise your right hand. Do you solemnly swear the testimony you are about to give in this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUTNER. I do.

TESTIMONY OF JOHN LAUTNER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LAUTNER. My name is John Lautner. My residence is in Youngstown, Ohio, and my occupation is consultant with the Government on communism.

Mr. ARENS. Mr. Lautner, would you give us just a brief sketch of your own personal life with particular reference to any activities which you may have had in the Communist Party?

Mr. LAUTNER. I joined the Communist Party in 1929 in New York City in the late fall—November or December. In 1930 I was sent to one of the training schools organized by the Hungarian National Bureau of the Communist Party. After graduation from that school, I was sent to Detroit, Mich., as the district secretary of the Hungarian National Bureau in Michigan.

In addition to that, while there I was also appointed to the Control Commission as secretary there in 1930. I functioned in Detroit until May 1931. I was appointed to Canada. I was in Canada for about

11 months as national secretary of the Hungarian Bureau there, and editor of a weekly paper.

Upon return I was assigned to Cleveland, Ohio, as district secretary of the Hungarian Bureau and one of the editors of the Hungarian daily Communist paper there.

In addition, while there I also organized and was director of a training school for the Hungarian National Bureau of the Communist Party.

In 1933, I came back to New York. For a while I was on the language department of the New York district of the Communist Party, and in 1933 in the fall I became an organizer in New York City of the New York district of the Communist Party. I functioned in that capacity until April 1936.

Then I was reassigned as district organizer of the Communist Party in the State of West Virginia, where I functioned until the end of 1940. In 1941 I was sent to the National Training School. After graduation from that school I was placed on the Nationality Groups Commission of the Communist Party and National Hungarian Bureau Secretary of the Communist Party.

I functioned in these capacities until I was drafted into the Army in November 1942. In addition to that, in April 1942 I was also sent to the International Workers Order as head of the Hungarian section of the International Workers Order. I functioned in addition in that capacity until I was drafted into the Army.

In the Army I was selected from basic training into the military intelligence training school. After graduation from there, I was assigned to psychological warfare in the Mediterranean Theater of Operations. I served there 25 months.

After returning in June 1945, I was reassigned as national secretary of the Hungarian Bureau and put on the Nationality Groups Commission of the Communist Party. I functioned in these capacities in the year of 1945. Then I took sick for a while, and in 1946 I was assigned in the New York district to organize the building trades party members into an industrial section.

I functioned in that capacity until May 1947. Then I was assigned as head of the New York Review Commission of the Communist Party. I functioned in that capacity until the 17th of January 1950 when I left the Communist Party.

In addition to that in September 1948, I was also placed on the National Review Commission of the Communist Party and functioned in that capacity also until I left the Communist Party.

Mr. ARENS. Inviting your attention specifically to your background and experience on the Nationality Groups Commission and the work with the International Workers Order, could you tell this committee the emphasis which the Communist Party places upon the work in the foreign language groups in the United States?

Mr. LAUTNER. The main reason for the emphasis on the importance of the nationality group work was the fact that the key nationality groups for which sympathy and understanding the Communist Party was striving for was in the basic industry—like steel, mining, packing, auto, et cetera. There is where you find a large section of the nationality groups in these industries. Therefore, from the point of view of the Communist Party it was extremely important to influence

through the nationality groups and their language papers these segments of the working class because it was essential to win the support of these workers for the program and activities of the Communist Party.

Mr. ARENS. To what extent during your experience did the Communist Party control significant segments of the foreign language press in the United States?

Mr. LAUTNER. The Communist Party through the Nationality Groups Commission gave leadership and guidance to the various nationality group bureaus that were responsible for publications. For example, in the Hungarian field we had the Hungarian Daily Journal after 1945, which had at that time about 7,000 circulation. The main readership came from the industrial segment of American life, and the paper tried to play an important role in reflecting the party policies and party program and the party activities through this publication.

It was the same situation with the other papers. The national bureau secretaries were invited to party gatherings, to nationality commission meetings. Editors were invited by members of the political committee of the party where they were briefed on how best to put forward the party line as to the party day-to-day activities and how to reflect that best in their various newspapers.

If we speak of control, it was that kind of a control.

Mr. ARENS. What was the year in which you broke from the Communist conspiracy?

Mr. LAUTNER. On the 17th of January 1950.

Mr. ARENS. Mr. Lautner, there are in the United States at the present time an estimated 20,000 members of the Communist Party.

Mr. LAUTNER. My estimate is a different one.

Mr. ARENS. What is your estimate?

Mr. LAUTNER. My estimate is that at best they have about 17,000 paper members. The actual dues-paying members—what it is, I don't know. But it is approximately at most 17,500 paper members. If I may say what my estimate is based upon—I attended numerous conventions of the Communist Party and the ratio of representation was one delegate for 100 members. In smaller districts, the 102 or 103 members, or 207 or 215 members, for the fraction they had an additional voting delegate. The highest vote was given to one of the candidates to the national committee. I think it was 230 or 233, or something to that effect. If you take off this fractional voting delegation and if they adhere to the old-paper approach in membership and the old 100 formula voting delegate, I think it is about 17,500.

Mr. SCHERER. Are you applying this analysis to the recent Communist convention?

Mr. LAUTNER. Yes; my past experiences with the appropriation of votes on the basis of membership to the present convention. I may be wrong, but I think there is no reason for me to believe yet that there was a deviation from that approach.

Mr. ARENS. How many people in the United States in your judgment are former members of the Communist Party?

Mr. LAUTNER. At one time with the YCL there were approximately 100,000.

Mr. ARENS. Mr. Lautner, since about 1950, the intellectual dupes and the starry-eyed liberals who were in the Communist Party have long since been dissassociated; have they not?

Mr. LAUTNER. A lot of them; yes.

Mr. ARENS. The principal membership of the Communist Party now is hard core; isn't that correct?

Mr. LAUTNER. I would estimate so; yes.

Mr. ARENS. So we have 17,500, by your estimate, hard-core members of the Communist Party; is that correct?

Mr. LAUTNER. That is correct.

Mr. ARENS. These 17,500 are in effect foreign agents on American soil; are they not?

Mr. LAUTNER. In a sense, yes, they are.

Mr. ARENS. They are responsive to the will of the Kremlin?

Mr. LAUTNER. Definitely so. If they did not learn from what events took place and they did not draw the proper lessons from what happened in the last few years, I think they are just hopelessly lost as far as America is concerned.

Mr. ARENS. We have an estimated 6,000 FBI agents in the United States who are engaged in a great number of law-enforcement undertakings, is that correct?

Mr. LAUTNER. Yes; that is correct.

Mr. ARENS. So we have about three times the number of foreign agents on American soil working full time in espionage, sabotage, and subversion as we have FBI agents working just part time undertaking to protect this country; isn't that correct?

Mr. LAUTNER. On the basis of your figures, that is correct. I don't know just exactly how many FBI agents there are.

Mr. ARENS. The hard-core members of the Communist Party get at the nerve centers; do they not?

Mr. LAUTNER. It depends on where they function. Some do and some do not.

Mr. ARENS. The objective is to get at the nerve centers; isn't it?

Mr. LAUTNER. Yes; industrial nerve centers. I would say all segments of human relationship in the United States, whether it be industry or science or the arts or the professions. They are everywhere.

Mr. ARENS. To what extent is the individual Communist at a nerve center able to influence non-Communists?

Mr. LAUTNER. If he is known as an open Communist, his influence is not much.

Mr. ARENS. The Communist Party now is pretty much underground; is it not?

Mr. LAUTNER. Some segments of it are still underground, yes.

Mr. ARENS. To what extent is the underground member of the Communist conspiracy able to influence non-Communists?

Mr. LAUTNER. If they hide their identities as Communists, they are extremely eloquent and vocal and articulate in putting forward their lines and they still can influence a lot of people, especially when issues come up and sides are taken on issues, whether it be in the economic field or the political field. They can still give benders in their direction and people will listen to them, there is no doubt about that.

Mr. ARENS. What was the relationship between the International Workers Order and the Communist foreign language press during your experience?

Mr. LAUTNER. My first acquaintance with the IWO came somewhere in 1932, when I came back from Canada when various national group sections began to join it. I was at the Chicago convention. I think it was in 1932 or 1933. All I remember is that the Chicago Fair was going on at the time. The following resolution was voted by the Hungarian section there. Besides being part of the International Workers Order, the membership—the section itself—will tax the membership an extra 10 cents per member, a so-called press tax. That 10 cents per each member was divided into 8 cents for the Hungarian Communist paper at that time, and 2 cents for the Daily Worker.

I think other sections of the IWO followed the same routine by taxing their members press taxes at that time. Their respective papers got 8 cents—and 2 cents went to the Daily Worker. Besides that, there was other financial support to the language press and the Daily Worker in the form of full page advertisements and greetings on numerous occasions in the Daily Worker.

Besides that, the readership in the main for these language papers came from the membership of the IWO. For example, I know in the Hungarian section another source of revenue was to print the full minutes of the executive committee meeting of the Hungarian section of the IWO for which there was a considerable payment made to the newspaper. Readership and financial support came from the IWO.

In addition to that, IWO members in many parts of the country, particularly in the larger cities, went out in campaigns to gain new subscribers for their respective Communist language newspapers. There was a very close working relationship between the language papers and the IWO and that relationship was always encouraged by the Nationality Groups Commission of the Communist Party itself. That is the type of relationship the party wanted.

Mr. ARENS. Is there such a thing as a pipeline for directives from Moscow to the foreign language press in the United States?

Mr. LAUTNER. Directives do come and did come in various forms. There is not one pipeline. There are all sorts of methods employed. In the case of the Communist International, the congresses established the tactical line for the parties to follow. These tactical lines were printed in publications like the Communist International and the Inprecorr, the International Press Correspondence, and other publications. Here the party, as I stated before, made it its business to sit down with the nationality group bureaus and editors of these newspapers and through conferences saw to it that the party line was properly reflected in these language papers.

The Nationality Groups Commission, previously known as the language department of the party, made a survey and study of these language newspapers from time to time to see how they reflected the party line in the newspapers.

Mr. SCHERER. Did these practices about which you are telling us continue up to the time that you left the party in 1950?

Mr. LAUTNER. Yes. After 1945 it took a different form. When the Communist Information Bureau was established in 1947, the official organ of the Communist Information Bureau was a weekly paper

called For a Lasting Peace, for a People's Democracy. That reflected the international line, so to speak—the thinking of the international leaderships, such as the report to the Warsaw Conference that laid down the fundamental tactical task for a coming period after the formation of the Cominform—this found its way in the channels of propaganda to the party presses over here through various methods—through consultations, conferences, and the Nationality Groups Commission had meetings.

Sometimes differences developed because these papers sometimes fell into the error of trying to reflect the desires and needs and necessities of their respective nationality group parties on the other side. I can give you a number of examples.

There was a cleavage between leading Italian and Yugoslav party members on the question of Trieste, for instance, when the Trieste situation became an issue in 1946 or 1947. There was another incident, a cleavage between Yugoslavia and Greece leading comrades in this country on the question of Macedonia. In the Nationality Groups Commission we always tried to iron it out. Here we don't see the difficulties that their respective parties have in relation to united fronts in their respective countries. The Italian party had its united front with other groups in Italy, and therefore it had to conciliate and give in to national desires and follow a certain line that may be in conflict with the party line in Yugoslavia.

Our task over here was to unify ourselves to face as a united group the problems pertaining to the American Communist Party, "Forget about the issues over there." That is the way we tried to compose the differences on the Nationality Groups Commission at the time.

MR. ARENS. What was your experience with reference to the financial structure of the Communist papers?

MR. LAUTNER. Like every paper, a Communist paper also has two main sources of stable income, that is, from subscriptions and sales and from advertising. When you work out the yearly budget for a newspaper, especially a Communist newspaper, they would fall far short of the required amount of money needed for a budget to publish a paper throughout the year. There are other ways of raising funds, like all sorts of campaigns, picnics. Through the IWO a lot of money was raised. In other instances, a shot was put into the arm of a sick paper from time to time through loans and also through money that came from other sources. These were in the main the financial resources of a Communist paper.

MR. ARENS. I should like to ask you now, during the course of your membership in the Communist Party, did you know a person by the name of Zoltan Deak?

MR. LAUTNER. Yes.

MR. ARENS. Did you know that person as a Communist?

MR. LAUTNER. Zoltan Deak, the editor of a Communist paper, I knew of before 1945, but I first got acquainted with him after I came out of the Army in 1945 when he attended Hungarian bureau meetings. Later on he was assigned as the associate editor of the Hungarian Daily Journal, and later on became the editor and was a member of the National Hungarian Bureau of the Communist Party.

MR. SCHERER. Were not a couple of pieces of mail addressed to him in the mail sack that we saw this morning?

Mr. LAUTNER. On the Hungarian situation? Yes.

Mr. ARENS. What is he doing now?

Mr. LAUTNER. He is editor of the Hungarian Word, a weekly paper that reflects the party policies and the party line today in the Hungarian community.

Mr. ARENS. May I ask you this. During the course of your experience, were the Communist editors under discipline to put the Communist Party line in the publications which they edited?

Mr. LAUTNER. Yes. In this instance the discipline came from two directions, first from above. If the party line was not followed the person speaking for that line in the paper was severely reprimanded, and, if necessary, removed. That happened, too. Also, there is a severe criticism and sometimes asking for discipline from below, from various committees in various cities that criticize the paper. Their critical evaluation is needed also at times by the editor. So it comes from two different sources. At this moment the editor of the Hungarian paper is under such criticism from above and below.

Mr. ARENS. During the course of your membership in the Communist Party, did you know as a Communist a person by the name of Alex, A-l-e-x, Rosner, R-o-s-n-e-r?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you kindly identify him?

Mr. LAUTNER. Al Rosner I first met when he was a student in the Cleveland school that I spoke about before. This was in 1932 or 1933, thereabouts. Then I lost track of him. Then I knew him as the business manager of the Hungarian Daily Journal around 1947, or thereabouts, and from then on until I left the Communist Party he was in that position.

Mr. ARENS. Do you know where he is now? Do you know what his occupation is?

Mr. LAUTNER. He is still business manager of the Hungarian weekly Communist paper.

Mr. ARENS. Did you know him as a Communist?

Mr. LAUTNER. Oh, yes.

Mr. ARENS. Did you in the course of your experience in the Communist Party know Louis Dattler, D-a-t-t-l-e-r?

Mr. LAUTNER. Yes. Louis Dattler became a member of the Hungarian National Bureau somewhere around 1946 or thereabouts. He is a painting contractor from the Bronx. He was still on the Hungarian Bureau at the time I left the Communist Party.

Mr. ARENS. Do you know where he is now?

Mr. LAUTNER. No.

Mr. ARENS. Did you know in the course of your experience as a member of the Communist Party a person by the name of Arpad, A-r-p-a-d, F. Nagy, N-a-g-y?

Mr. LAUTNER. Yes. He also became a member of the national bureau around 1946, and he functioned in that capacity at the time I left the party.

Mr. ARENS. Do you know what he is doing now?

Mr. LAUTNER. From my own personal knowledge, I don't know.

Mr. SCHERER. What have you learned?

Mr. LAUTNER. I know he is in New York. I know he is still associated with the paper.

Mr. ARENS. What paper?

Mr. LAUTNER. The Hungarian Word. I know from a publication, "A Yearly Calendar" they put out that he was the—they put it out sometime back in 1952 or thereabouts—he was the president of the Hungarian section of the International Workers Order, and is still associated with the paper today.

Mr. ARENS. In passing, may I invite your attention to the International Workers Order. As we all know, pursuant to an action which was brought in New York State, the charter of the IWO was revoked, which lopped off the leaves at the top of the tree. Are the roots of the organization still in existence?

Mr. LAUTNER. Of course it is. They function in other forms, like cultural clubs: for instance, in Youngstown they are functioning. They do. I will give you an example. A yearbook was published in 1957 and the basic cadre of the IWO is still there in every city—Chicago, Los Angeles, Miami, New York. They may function under different names and for different purposes now—cultural activities, et cetera.

Mr. ARENS. But still under Communist Party discipline?

Mr. LAUTNER. Yes.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Margaret, M-a-r-g-a-r-e-t, Adler, A-d-l-e-r?

Mr. LAUTNER. Yes.

Mr. ARENS. Please identify her.

Mr. LAUTNER. Margaret Adler was the business manager of the German weekly Communist paper in New York here. She used to come to New York County meetings from time to time.

Mr. ARENS. Was that the German-American Tribune?

Mr. LAUTNER. That is the paper now, the German-American Tribune. I recall in 1949 or thereabouts—1948 or 1949—at the New York State organization Margaret Adler organized a meeting, I think in the Hotel Diplomat, for Gerhart Eisler and Bob Thompson.

Mr. ARENS. Did you as a member of the Communist Party know as a Communist a person by the name of Catherine, C-a-t-h-e-r-i-n-e, Gyarmaty, G-y-a-r-m-a-t-y?

Mr. LAUTNER. Yes. She was a party member. She was a member of the Hungarian National Bureau, as a matter of fact, and editor of a monthly magazine called Women's World and I think she still functions in that capacity today.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Clara, C-l-a-r-a, Reich, R-e-i-c-h?

Mr. LAUTNER. Yes. Clara Reich was a member of the Communist Party. She was attached to a branch in the Bronx. She was the technical secretary or administrative secretary of the Hungarian section of the IWO at the time I was the national secretary of it, and during the national secretaryship of other leading Hungarian Communists.

Mr. ARENS. Do you know what she is doing now?

Mr. LAUTNER. No, I don't know. She is associated in one way or another with the Women's World.

Mr. ARENS. Did you know a person while you were a member of the Communist Party, a Communist by the name of Michael Tkach?

Mr. LAUTNER. Yes. He was the editor of the Ukrainian Daily News. Mike Tkach to me was also known as Nestus in the early 1930's when he was a member of the Control Commission of the Communist Party. Later on I served with him on the Nationality Groups Commission in 1941 and 1942 before I went into the Army. Mike Tkach was one of the architects in building the All-Slav Congress in this country, in initiating it in those early days, 1941, 1942.

Mr. ARENS. Do you know what he is doing?

Mr. LAUTNER. He is editor of the Ukrainian Daily News.

Mr. ARENS. Here in New York City?

Mr. LAUTNER. That is right.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Irving Freed, F-r-e-e-d?

Mr. LAUTNER. I knew an Irving Freed who was a city editor of the Morning Freiheit in the early 1930's and if we are talking about the same Irving Freed, that is him.

Mr. SCHERER. Did you know that Irving Freed to whom you are referring to be a member of the Communist Party?

Mr. LAUTNER. That Irving Freed was, yes.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Theodore Bayer, B-a-y-e-r?

Mr. LAUTNER. Teddy Bayer, yes. Teddy Bayer was a member in section 18, where I was a section organizer in 1933, 1934, 1935 and part of 1936. At one time he was a member of my section committee there while he was business manager of Soviet Russia Today. He was for a short time also educational director of section 18, back in the mid-1930's, and he was a party member in that section.

Mr. ARENS. Do you know what he is doing today?

Mr. LAUTNER. He was associated with the Soviet Friendship Council, and also he was president of the Russky Golos Corp., and in 1945 or 1946 I was in negotiations with him to move the Hungarian Daily Journal from Avenue A and 14th Street, where we were situated at that time—that whole section was to be torn down and Stuyvesant Town was to be built there, and we had to move—so I was negotiating with Teddy Bayer to move the Daily Hungarian Journal into the same building where the Russky Golos was. I had to negotiate with Teddy Bayer on the details and finances involved.

Mr. ARENS. What is this publication Russky Golos to which you just alluded?

Mr. LAUTNER. Russky Golos is the Communist paper in the Russian language printed at 16th and Irving Place. I think it is 130 East 16th Street.

Mr. SCHERER. Who was Theodore Bayer?

Mr. LAUTNER. The president of the corporation there.

Mr. SCHERER. Was he still a member of the Communist Party 6 years ago when you left the party?

Mr. LAUTNER. When I left, definitely yes.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Samuel J. Nikolauk?

Mr. LAUTNER. He was in the IWO. He was secretary of the Russian section of the IWO. He was a party member and I took

part in party meetings with him while I was in the IWO and Nationality Groups Commission.

Mr. ARENS. What is he doing now?

Mr. LAUTNER. I think he is treasurer of the Ukrainian Daily News or Russky Golos Corp., one of them. I think it is the Russky Golos.

Mr. ARENS. During the course of your membership in the Communist Party did you know as a Communist a person by the name of Paul Novick?

Mr. LAUTNER. Yes. Paul Novick when I first knew him was associate editor of the Morning Freiheit. Later on he became editor of the Morning Freiheit and attended numerous party meetings such as conventions, national committee plenums, conferences, etc.

Mr. ARENS. What is he doing now?

Mr. LAUTNER. I think he is still editor of the Morning Freiheit.

Mr. SCHERER. Was he still a member of the Communist Party when you left in 1950?

Mr. LAUTNER. He was.

Mr. ARENS. During the course of your membership in the Communist Party, did you know as a Communist a person by the name of John Gates?

Mr. LAUTNER. Yes. The first time I met John Gates was in Youngstown, Ohio, around 1932 or 1933, when he was the Young Communist League section organizer in Youngstown, Ohio, and I was functioning in Cleveland, I think, and I was assigned to teach a class of YCLers that he had organized on the west side of Youngstown, Ohio. That was my first acquaintance with John Gates at the time.

I met him later on at numerous national committee meetings, conferences.

Mr. SCHERER. You mean committee meetings and conferences of the Communist Party.

Mr. LAUTNER. Yes. He was editor in chief of the Daily Worker at the time I left the Communist Party.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Joseph Starobin, S-t-a-r-o-b-i-n?

Mr. LAUTNER. Joe Starobin, yes. I knew Joe Starobin in the late 1940's as the foreign editor of the Daily Worker. I met him at party meetings, party gatherings. He was a party member at the time I left the Communist Party.

Mr. ARENS. Do you know what he is doing now?

Mr. LAUTNER. According to my understanding, he left the Communist Party. He is with a so-called Socialist group at the present time writing for their publications, lamenting about some of the mistakes that he found in the Communist Party, and that is his status from what I can determine.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Margaret Cowl?

Mr. LAUTNER. Yes, Margaret Krumbein.

Mr. ARENS. Krumbein was her married name.

Mr. LAUTNER. That is correct.

Mr. ARENS. How do you spell Krumbein?

Mr. LAUTNER. K-r-u-m-b-e-i-n. She was a Communist. We were on the National Review Commission in the last couple of years before I left the Communist Party.

Mr. ARENS. What is she doing now?

Mr. LAUTNER. To my understanding, she is a registered agent for foreign publications, particularly from the Soviet Union and other satellite countries.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Rose Baron?

Mr. LAUTNER. Yes. Rose Baron was one time associated with ILD work and then later on worked in the bookstore downstairs at 50 East 13th Street. That is the party building. She was a party member.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Sol Auerbach, A-u-e-r-b-a-c-h?

Mr. LAUTNER. That is James Allen. I knew him the first time, I think, for a short period of time while I was in West Virginia. For a short period of time he became the secretary of the National Control Commission, taking it over from Charlie Dirba.

Mr. ARENS. What is he doing now?

Mr. LAUTNER. I don't know.

Mr. ARENS. Did he have an alias?

Mr. LAUTNER. Yes: James Allen, Jim Allen.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Jessica Smith?

Mr. LAUTNER. I knew Jessica Smith from the days when she was editor of Soviet Russia Today, and attended national committee meetings in the late 1930's and also conventions where she was present.

Mr. ARENS. How late did you know her as a Communist?

Mr. LAUTNER. I had no reason to believe that she was not a Communist at the time I left the Communist Party.

Mr. ARENS. What is she doing today?

Mr. LAUTNER. I don't know.

Mr. ARENS. Did you in the course of your membership in the Communist Party know as a Communist a person by the name of Boris Cohen?

Mr. LAUTNER. Yes. Boris Cohen was a member in section 18 in the early thirties where I was a section organizer. He was head of the Prompt Press. First they were in the party building at 35 East 12th Street. Later on they moved out to 4th Avenue near 12th or 13th Street. I knew him as a party member.

Mr. ARENS. Do you know what he is doing now?

Mr. LAUTNER. I suppose he is still head of Prompt Press.

Mr. ARENS. Did you know as a Communist while you were a member of the Communist Party a person by the name of Joseph Felshin, F-e-l-s-h-i-n?

Mr. LAUTNER. Yes, Joe Fields, F-i-e-l-d-s.

Mr. ARENS. That is an alias for Joseph Felshin?

Mr. LAUTNER. Yes. He joined the Communist Party, I think, in 1933 at 103d Street and Columbus Avenue at one of my meetings. He

was a seaman before that. He became later on a sort of a section functionary, leaflet producer. He had pretty good hands. Then he got a job with Workers Library Publishers and later on it became New Century Publishers and he became in charge of publications there. This publishing group published *The Communist* and later on *Political Affairs*, the official theoretical organs of the Communist Party.

Mr. ARENS. Did you during the course of your membership in the Communist Party know as a Communist a person by the name of Milton Howard?

Mr. LAUTNER. Yes. Milton Howard was in the period of 1940-41 the editor of the *Sunday* or weekend *Worker*. I attended many Communist meetings with him.

Mr. ARENS. Mr. Lautner, we have interrogated you with reference to a number of items pertaining principally to the Communist press in the New York area. Are there any other items of information which we may not have specifically interrogated you about that you would like to comment on before you conclude your testimony?

Mr. LAUTNER. I would like to say this.

Mr. SCHERER. Before we get to that phase of questioning, may I ask you this question: Am I correct if I assume that all the people you have just identified as Communists were members of the Communist Party at the time you left the Communist Party in 1950?

Mr. LAUTNER. That is right.

Mr. SCHERER. Do you know any other than the one person you mentioned who left the Communist Party?

Mr. LAUTNER. Since 1950?

Mr. SCHERER. Yes. You mentioned one person as having left the Communist Party and now became editor of some socialist publication.

Mr. LAUTNER. He became a writer there. That is Starobin. I have no reasons to believe that any other left the Communist Party.

I would like to comment on this. Because of the apparent decline of the readership of the *Daily Worker* and the weekend *Worker*, there is an element of complacency in the minds of those, and expressed this way. They are shrinking, they are falling apart, they are losing their influence. They don't seem to realize the terrific impact and influence the nationality group Communist press has, and what a large segment of the population is touched by this press. They see that narrow *Daily Worker* readership or *Worker* readership as the influence that the Communist Party can exert through such publication. I think it is important to consider that while even the nationality group press lost a lot of readership, still their influence in the basic industries today, particularly in steel, in auto, and in other industries, is formidable and more attention should be paid to this aspect of the work of the committee in ferreting out Communist influence.

Mr. ARENS. Thank you very much.

That, Mr. Chairman, would conclude the staff interrogation of the witness.

Mr. SCHERER. Did I understand you to say that the nationality press which is dominated by the Communist Party has also lost its influence?

Mr. LAUTNER. It has lost a lot of influence. Some daily papers become weekly papers. The numerical strength of the readership is downward. But still it is a formidable Communist influence that has to be recognized.

Mr. ARENS. Mr. Lautner, there is a fallacy, is there not, in undertaking to appraise the strength or menace of the Communist conspiracy on the basis of its numerical strength?

Mr. LAUTNER. That is correct, too.

Mr. ARENS. The party itself wants its numerical strength to be reduced so that it can be more effective.

Mr. LAUTNER. That is the tendency today, to have that kind of a party. More streamlined and more adaptable to the present situation.

Mr. ARENS. And the strength of the party is——

Mr. LAUTNER. Not reflected in its numerical strength.

Mr. ARENS. In the numbers at all, is that correct?

Mr. LAUTNER. That is right.

Mr. SCHERER. You are familiar with the testimony of Mr. Fishman, are you not?

Mr. LAUTNER. Yes. I was sitting here and listening to it.

Mr. SCHERER. Are you familiar with other testimony the committee has taken in various areas of the country concerning the Communist propaganda coming through this country?

Mr. LAUTNER. I read that.

Mr. SCHERER. Could that propaganda be supplanting the foreign language Communist press? Could the readership of that be increasing? Would that be a reason for the decline in the numerical circulation of the foreign language Communist papers?

Mr. LAUTNER. Yes. There are a number of reasons for the decline of readership of all Communist press printed here. For one good reason, the blunders and the vicious handling of the Soviet Union of various cardinal issues under Stalin's leadership, and recently, events that took place in Poland and in Hungary and the suppressing role that the Red Army played, particularly in Hungary, where a popular revolt and resentment against the violations of Socialist legality—to use a Communist jargon—people just revolted against it. The Red army just ruthlessly, negating completely its own ideological principles, the self-determination of small nations and national groups, broke up that Hungarian resentment and saddled the Hungarian people with the Red army and Hungarian leadership. These are the facts that turn the people away from reading the Communist press.

Mr. SCHERER. How do you account for the apparent increase in the Communist foreign propaganda coming through the mails into this country?

Mr. LAUTNER. What they are losing in the domestic publications, they try to make up in publications sent from foreign countries.

Mr. SCHERER. Wouldn't your reasoning that you have just given us apply to that type of propaganda?

Mr. LAUTNER. I listened to Mr. Fishman. He says that most of this propaganda that emanates from the other side is unsolicited. They are bombarding.

Mr. ARENS. Mr. Lautner, the Communist Party had a convention here in this city a couple of weeks or so ago in which among other things they announced to the world that they were disassociated from Moscow, and that henceforth they no longer would advocate force and violence as a means of obtaining their objectives, and now they are just going to pursue peaceful democratic processes. Could you on the basis of your background and experience in the Communist Party give us your reaction to that?

Mr. LAUTNER. First of all, if this Communist Party in this convention would have repudiated Leninism, then there would be more validity to what they say they stand for. But since they still adhere to Leninism, since they still adhere to proletarian internationalism, since they didn't dare to criticize the Soviet Red army for its atrocities and intervention in the Hungarian affairs, all these statements have only one reason to be made—to crawl out from under the Smith Act, to crawl out from under the Subversive Activities Control Board case, to crawl out from the Taft-Hartley Act, and similar laws and legislation. I read some of these statements. These statements are very carefully written in a very explicit legal language. Someone's fine legal hand is there on every document.

Mr. ARENS. Is there any doubt in your mind whatsoever but that the Communist Party today is a conspiratorial apparatus directed from Moscow?

Mr. LAUTNER. None whatever. I spoke about that once before. It is explicitly set forth in the International Affairs emanating out of Moscow, a theoretical magazine which says each Communist Party in each country must play a special role, based on local conditions, local situations, but still they all belong to that 30 million army of Communists throughout the world that act as one, that is monolithic, and all their activities are channeled in one direction, getting guidance and leadership from that same source.

Mr. ARENS. Mr. Lautner, another subcommittee of the Committee on Un-American Activities has over the course of the last several months been accumulating information and statements from the best minds we can contact all over the world on the world Communist conspiracy. Without exception those who are competent within each of the many, many facets of the conspiratorial apparatus worldwide tell us that the United States and the west are losing the cold war and losing it at an alarming rate to the international Communist conspiracy. What is your appraisal on the basis of your intimate knowledge of the operation in the United States and your deep concern over the operation worldwide?

Mr. LAUTNER. I think one of the reasons for the extreme complacency, which is an attitude in this country—

Mr. ARENS. It is part of the Communist technique to make Mr. and Mrs. America at the crossroads feel that there really is no menace.

Mr. LAUTNER. That is correct. The Nation is complacent on this issue.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. SCHERER. Mr. Lautner, the committee wishes to thank you for your fine testimony, and the cooperation you have given the committee, and it is the feeling, I am sure, of the committee that you have rendered a valuable contribution to your Government. You are excused.

Mr. LAUTNER. Thank you very much.

Mr. SCHERER. The committee will recess until 10 o'clock tomorrow morning.

(Thereupon at 2:55 p. m., Tuesday, March 12, the committee was recessed, to reconvene at 10 a. m., Wednesday, March 13, 1957. Committee member present: Representative Scherer.)

INVESTIGATION OF COMMUNIST PROPAGANDA IN THE UNITED STATES—PART 5

(New York City Area)

WEDNESDAY, MARCH 13, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE OF UN-AMERICAN ACTIVITIES,
New York, N. Y.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, in room 518, United States Courthouse, Foley Square, New York, N. Y., at 10 a. m., Hon. Morgan M. Moulder (chairman of the subcommittee) presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director, W. Jackson Jones and Frank Bonora, investigators.

Mr. MOULDER. The committee will be in order.

Call your next witness.

Mr. ARENS. Mr. John Gates, kindly come forward.

Mr. MOULDER. Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GATES. I do.

TESTIMONY OF JOHN GATES, ACCOMPANIED BY COUNSEL, HARRY SACHER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GATES. My name is John Gates. I live at 1236 Pacific Street in Brooklyn. I am a newspaper editor.

Mr. ARENS. Are you appearing here today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. GATES. I am.

Mr. ARENS. And you are represented by counsel?

Mr. GATES. Yes.

Mr. ARENS. Counsel, will you please identify yourself?

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17.

Mr. ARENS. What newspaper do you edit, Mr. Gates?

Mr. GATES. I consider that question an invasion of the freedom of the press, and I do not intend to answer any such questions.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. MOULDER. The witness is directed to answer the question, and in making that direction I wish to say to you that it is given to you in order to warn you of possible dangers of your being in contempt of Congress.

Mr. GATES. I decline to answer that question.

Mr. MOULDER. It is not with a threat, but for the purpose of advising you that there is the possibility that in your refusing to answer that question you might be guilty of contempt.

Mr. GATES. I decline to answer that question first of all because it is a violation of the first amendment, and I do so on those grounds in the first place.

Furthermore, because of what I know of this committee, it does not recognize the first amendment to the Constitution. I therefore will decline to be a witness against myself and invoke also the fifth amendment.

Mr. SCHERER. We recognize the first amendment, but we do not recognize it as a ground for refusing to answer the question which counsel has propounded to you.

Mr. ARENS. Where are you employed?

Mr. GATES. I decline to answer that question for the same reason I just gave.

Mr. ARENS. I respectfully suggest, Mr. Chairman, this record reflect an order and direction to the witness to answer that question.

Mr. MOULDER. The witness is directed to answer, and we direct you not in the spirit of trying to coerce you to answer questions, but to advise you of your rights and to inform you that we are insisting upon an answer.

Mr. GATES. Everyone knows where I am employed, especially these days. One has only to pick up any newspaper and tune in on any TV broadcast or radio program, and he knows where I am employed. But I will not tell this committee where I am employed for the reasons that I have given, based on my rights under the first amendment and fifth amendment to the Constitution.

Mr. MOULDER. Again we direct you to answer. We do not take that as an answer to the question.

Mr. SCHERER. I think in view of his answer that anyone who picks up the paper or listens to the radio knows where he is employed, he waives any privilege he might have of invoking the fifth amendment. Therefore, I ask that you direct him to answer the question again.

Mr. SACHER. May I note a dissent of that legal opinion of the Congressman, Mr. Chairman, and suggest that there is no point to these endless directions.

Mr. ARENS. Mr. Sacher, I respectfully invite your attention to the rules of the committee, which provide:

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GATES. I decline to answer on the grounds I have already stated under my rights under the first and fifth amendments of the Constitution of the United States.

Mr. ARENS. Mr. Gates, in view of your observation that your employment could be ascertained by certain publications, we lay before you now a photostatic copy of the Communist Daily Worker of Wednesday, December 28, 1955, and invite your attention specifically to a photograph designated "Gates" and an article, Gates To Resume Post Tuesday:

John Gates will resume his duties as editor in chief of the Daily Worker—
And so forth. Kindly look at that document and tell the committee whether your employment is accurately described as editor of the Communist Daily Worker.

Mr. GATES. Again I will decline to answer on the same grounds I have given.

(Document marked "Gates Exhibit No. 1." and retained in committee files.)

Mr. ARENS. You are not ashamed of your employment, are you, Mr. Gates, as editor of the Daily Worker?

Mr. GATES. I decline to answer that for the same reason.

Mr. SCHERER. Do the same reasons include the fifth amendment?

Mr. GATES. They do.

Mr. ARENS. Are you now a member of an organization dedicated to the overthrow of the Government of the United States by force and violence?

Mr. GATES. I am not.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. GATES. I will decline to answer all questions having to do with the Communist Party. I do not believe it is any business of this committee or any other committee of the Congress to inquire into my political views or beliefs. I believe I am protected in that by the first amendment to the Constitution.

Mr. ARENS. Tell us why it is that you gave such a quick response to the question as to whether or not you are now a member of an organization dedicated to the overthrow of the Government of the United States by force and violence. What distinction do you make there?

Mr. GATES. I decline to answer that on the grounds that I have given.

Mr. ARENS. Is the Communist Party presently—

Mr. MOULDER. May I intervene and ask this question? Do you have any knowledge or information concerning any other person who believes in the overthrow of our present form of government by force and violence?

Mr. GATES. I know of no persons who are dedicated to that objective.

Mr. ARENS. I would like to read you now a little excerpt from the Communist Manifesto:

The Communists disdain to conceal their views—

Mr. SACHER. Would you identify the document by year?

Mr. ARENS. Mr. Chairman, I respectfully suggest that counsel be admonished again that his sole and exclusive prerogative in this hearing is to advise his witness pursuant to the rules of this committee.

Mr. MOULDER. Mr. Sacher, that is the rule, as counsel stated.

Mr. SACHER. I know that.

Mr. ARENS. Kindly adhere to the rules.

I invite your attention to the Communist Manifesto:

The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions.

Are you conversant with that language which I have just read to you?

Mr. GATES. I decline to answer that.

Mr. ARENS. Why?

Mr. GATES. On the grounds of the first and fifth amendments to the Constitution.

Mr. ARENS. Do you feel that, if you would truthfully answer the question as to whether or not you are conversant with that language, you would be supplying information which might be used against you in a criminal proceeding?

Mr. GATES. From my experience with this committee, I have found that this committee will use any means to trap people into convictions and jail sentences on frameup charges. I will not cooperate with this committee in any such purpose.

Mr. MOULDER. You have made that statement—

Mr. GATES. I have not finished my answer. I have never concealed my views. On the contrary, I seek every opportunity to put forward my views to the American public.

Mr. ARENS. Why don't you do it now?

Mr. GATES. At this very moment, I am being deprived in this city of the right of presenting my views to the students of this city. It is not my fault that this is so. It is the fault of others.

Mr. ARENS. Then why don't you come forth now and tell us your views as to whether or not the Communist Party advocates the overthrow of the Government of the United States by force and violence?

Mr. GATES. I have done so on my other occasions. I will do so again on many other occasions. I will not do so before this committee for the reasons I have stated.

Mr. ARENS. You realize, of course, you are now under oath; do you not?

Mr. GATES. Yes; I do.

Mr. MOULDER. The witness is directed to answer your question concerning his views. He said he would do it somewhere else, but not before the committee. You are so directed.

Mr. GATES. I will not answer any questions as to my political views because—for the reasons I have already stated.

Mr. MOULDER. You referred to entrapment by this committee. Can you give a specific case where this committee has entrapped any person appearing as a witness?

Mr. GATES. Yes.

Mr. MOULDER. Who?

Mr. GATES. Eugene Dennis.

Mr. MOULDER. Who else?

Mr. GATES. Many others. If the committee will allow me to, I will prepare a list today and bring it in to the committee tomorrow.

Mr. SCHERER. Eugene Dennis was convicted and sentenced in the Federal court, was he not, for advocating the overthrow of this Government by force and violence?

Mr. GATES. I will not answer any such question.

Mr. SCHERER. That is the Eugene Dennis to which you are referring; isn't it?

Mr. GATES. I decline to answer that question.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. MOULDER. The witness is so directed.

Mr. SCHERER. He certainly waived his right.

Mr. GATES. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Were you framed?

Mr. GATES. I have been on occasion.

Mr. ARENS. Were you framed when you were convicted under the Smith Act?

(The witness consulted with his counsel.)

Mr. SCHERER. Let the record show that the witness is laughing.

Mr. GATES. My opinions are quite well known on that score, but I will decline to answer that question to this committee for the reasons stated.

Mr. ARENS. Now I would like to read you a couple of quotations from a man by the name of Nikolai Lenin, in view of your desire to express your views, to see whether or not your position coincides with those of Nikolai Lenin. The first quotation is this:

The existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable.

Continuing from Lenin:

We must be able to withstand all this, to agree to all and every sacrifice, and even—if need be—to resort to various stratagems, artifices, illegal methods, to invasions and subterfuges.

In view of your desire to express your views to schools and colleges of this country, to people of this community, while you are under oath tell this committee whether or not you subscribe to these statements by Nikolai Lenin.

Mr. GATES. I will not answer any questions as to my political views before this committee. I will be glad to debate you at any time outside of this committee room before anybody of the American public.

Mr. ARENS. Do you honestly apprehend, sir, that if you truthfully answered this last principal question, you would be supplying information which might be used against you in a criminal proceeding? Let us say a perjury action?

Mr. GATES. As I said before, the record of this committee convinces me that such is the purpose of this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he honestly apprehends, if he answered the last preceding principal question, he would be supplying information that could be used against him in a criminal proceeding.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GATES. I decline to be a witness against myself on the grounds of the fifth amendment to the Constitution of the United States.

Mr. SCHERER. Witness, the courts say you must answer the last question of counsel "Yes" or "No." You cannot invoke the fifth amend-

ment to the question whether you honestly believe that to answer the question might tend to incriminate you. The courts have clearly said that you cannot invoke the fifth amendment on that.

Mr. SACHER. Will you give me a moment to tell my client that the Congressman is wrong?

Mr. MOULDER. Yes.

(The witness consulted with his counsel:)

Mr. GATES. I decline to answer that on the grounds that it is a violation of the fifth amendment to the Constitution.

Mr. SCHERER. You had some bad legal advice.

Mr. GATES. Perhaps.

Mr. SACHER. May I rise on a point of personal privilege?

Mr. ARENS. You are apprised that your sole prerogative as counsel to this witness is to advise this witness as to his constitutional rights.

Mr. SACHER. Mr. Chairman, may I ask on your ruling as to whether I must sit like a bump on a log here and have my professional competency assailed by a member of this committee?

Mr. ARENS. Counsel is entitled to his own characterization of his own status. Counsel's sole and exclusive prerogative here is to advise his client.

Now, Mr. Gates, I should like to read you another quotation by a man by the name of William Z. Foster. You know Mr. Foster; don't you?

Mr. GATES. I will not answer any questions as to names of people, especially because this committee has left behind it a trail of black-listed workers, workers fired from their jobs, homes broken up, and so on. I will not contribute to that sort of thing.

Mr. ARENS. You are not ashamed of your association with William Z. Foster, are you?

Mr. GATES. I am not ashamed of anything in my life.

Mr. ARENS. Then tell us.

Mr. GATES. I decline to answer that question or give you any list of names.

Mr. ARENS. Let us read this little quotation. William Z. Foster:

When a Communist heads the Government of the United States—and that day will come just as surely as the sun rises—the government will not be a capitalist government but a Soviet government, and behind this government will stand the Red army to enforce the dictatorship of the proletariat.

Do you subscribe to that position by William Z. Foster?

Mr. GATES. I will decline to answer any questions as to my political views before this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. MOULDER. The witness is ordered and directed to answer the question.

Mr. GATES. I will give my views on that to the American people and to the press. I will not give it to this committee on the grounds that I have stated it is a violation of my rights under the first amendment and fifth amendment to the Constitution of the United States.

Mr. ARENS. The press is represented here. While you are under oath and while you are subject to the pains and penalties of perjury, turn around and tell the press whether you repudiate or subscribe to these doctrines which I have just read to you by the leaders of the Communist conspiracy.

Mr. GATES. I intend to do so at the proper time and under the proper circumstance, which this is not.

Mr. ARENS. And the proper time and circumstance include a condition that you not be under oath and subject to the pains and penalties of perjury.

Mr. GATES. I will be glad to speak under oath to the press but not this committee.

Mr. ARENS. Turn around right now and tell the press whether or not you subscribe or repudiate these positions which I have just presented to you from the leaders of the Communist conspiracy.

Mr. GATES. I will do so when I see fit. I will not do so under your direction.

Mr. MOULDER. The committee will stand in recess for 5 minutes.

(Committee members present at taking of recess: Representatives Moulder and Scherer.)

(Short recess.)

(Committee members present at time of reconvening: Representatives Moulder and Scherer.)

Mr. MOULDER. The committee will be in order. Proceed with the interrogation of the witness, Mr. Arens.

Mr. ARENS. Mr. Gates, I previously asked you if you were a member of the Communist Party and you declined to answer the question and invoked the provisions of the fifth amendment of the Constitution of the United States. I ask you now a little different question: Are you a Communist?

Mr. GATES. My reply to that is the same.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully while you are under oath whether or not you are a Communist, you would be supplying information that might be used against you in a criminal proceeding?

(The witness consulted with his counsel.)

Mr. GATES. I am being placed in a very ironical position here. At this very moment I am seeking every means to present my views to the people of this city and to the country and I am being deprived of that right.

Mr. ARENS. You are a little bashful before this committee for some reason or other. Tell this committee whether or not you are a Communist.

Mr. GATES. You want to give me the right to speak when you compel me to speak and subpoena me to speak. You have certain ulterior motives in doing that, in my opinion.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GATES. I do not answer that question for the reasons I have given.

Mr. MOULDER. To what reasons do you refer now, Mr. Gates, when you say "the reasons I have given"?

Mr. GATES. The entire Bill of Rights to the American Constitution, including the fifth amendment.

Mr. ARENS. Have you ever been a member of an organization dedicated to the destruction of the Bill of Rights?

Mr. GATES. I have never been.

Mr. ARENS. You were convicted under the Smith Act to conspire to overthrow the Government of the United States by force and violence, weren't you?

Mr. GATES. I decline to answer.

Mr. ARENS. I suggest that the witness be directed to answer that question.

Mr. MOULDER. The witness is ordered to answer the question.

Mr. GATES. I decline to answer on the grounds it is a violation of my rights under the fifth amendment.

Mr. ARENS. I want to give you an opportunity to express your views to the world while you are under oath. I have here a copy of Our Times in which an article appears by John Gates, Stalin's Policy for World Peace. This is back in January 1950 in which Comrade Stalin is lauded as one of the great saviors of humanity, one to whom the world owes an eternal debt of gratitude.

Look at that article, if you would, please, Mr. Gates, and tell us while you are under oath whether that reflects your position with reference to Comrade Stalin?

Mr. GATES. Where did you say this article appeared?

Mr. ARENS. It is right in your hand. It is at the bottom of the page there, Our Times, 1950.

Mr. GATES. What is that publication?

Mr. ARENS. Do you recall that publication?

Mr. GATES. "Our Times"?

Mr. ARENS. Yes.

Mr. GATES. I have never heard of such a publication.

Mr. ARENS. Look at the article and see if you recollect that you prepared that article.

Mr. GATES. I will decline to answer any questions as to my views or writings. My writings speak for themselves. You can read them in the Daily Worker on sale at newsstands for 10 cents a copy.

(Document marked "Gates Exhibit No. 2," and retained in committee files.)

Mr. ARENS. Tell us how we can go about reading your articles in the Daily Worker?

Mr. GATES. By subscribing to the Daily Worker at 50 East 13th Street.

Mr. ARENS. How did you know that your articles appeared in the Daily Worker?

Mr. GATES. I think people can find that out by reading the newspaper themselves.

Mr. SCHERER. I ask you to direct the witness to answer the question.

Mr. GATES. I will not answer it because I consider that an invasion of freedom of the press.

Mr. MOULDER. The witness is directed to answer as requested by Congressman Scherer.

Mr. GATES. I will decline to answer it on the grounds of the fifth amendment as well.

Mr. ARENS. How do you know the Daily Worker is located at the place which you designated in the record?

Mr. GATES. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be directed to answer that question.

Mr. MOULDER. The witness is directed.

Mr. SCHERER. He has waived any rights he has to refuse.

Mr. MOULDER. The committee insists that the witness answer the question.

Mr. GATES. I will not answer for the grounds stated.

Mr. ARENS. Have you in the recent past changed your position with reference to this great benefactor of humanity to whom all the world owes a great debt, Comrade Stalin, or is your position the same as expressed here in this laudatory article?

Mr. GATES. I will tell my views on this and other matters to anybody which I consider accredited and is really interested in ascertaining views. I do not believe this committee has such a motive.

Mr. SCHERER. Is that the reason you now are refusing to answer, for the reasons you have given?

Mr. GATES. That is one of the reasons I refuse to answer this question. I also refuse to answer it on the grounds of the fifth amendment.

Mr. ARENS. We would like to lay before you, please, Mr. Gates, copies of statements acquired by the post office from the Daily Worker indicating the publishers of the Daily Worker are the Publishers New Press, Inc., in which the editor is indicated as John Gates, and the managing editor, Alan Max. Kindly look at these documents which are photostatic reproductions of the originals in the custody of the Post Office Department, and tell this committee while you are under oath whether or not that accurately designates the officials of the Daily Worker and the firm that publishes the Daily Worker.

Mr. GATES. I decline to answer that before this committee on the grounds that I have stated.

(Documents marked "Gates Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not the document which was filed with the Post Office Department, sworn to, and is presently an official record of this Government, accurately reflects the fact you would be supplying information which could be used against you in a criminal proceeding?

Mr. GATES. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. I respectfully suggest that the witness be ordered to answer the question.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GATES. I invoke the fifth amendment.

Mr. MOULDER. For your own protection, you ought to answer the question "Yes" or "No."

Mr. GATES. For my own protection I invoke the fifth amendment.

Mr. MOULDER. Are you going to offer those documents which you have been showing the witness?

Mr. ARENS. Yes, Mr. Chairman. I appreciate your mentioning that. I respectfully request that there be a general order in this record that all documents which are displayed be appropriately marked and incorporated by reference in the record. It will save time.

Mr. MOULDER. It is so ordered.

Mr. ARENS. I lay before you, Mr. Gates, a photostatic reproduction of a certificate of incorporation, filed with the clerk of the supreme court in New York County, of Publishers New Press, Inc., in which are set forth the directors of the Publishers New Press, Inc., and other information pertaining to that organization. Kindly look at that document and tell us whether or not it accurately and truthfully reflects the facts.

Mr. GATES. I decline to answer that.

(Document marked "Gates Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of John Lautner?

Mr. GATES. I know him to be a stool pigeon and informer.

Mr. MOULDER. May I ask you what is a stool pigeon?

Mr. GATES. The briefest definition I can think of for a stool pigeon or an informer is a paid liar.

Mr. SCHERER. Just a minute. Mr. Gates, this man to whom you refer, namely, Mr. Lautner, as a paid liar, identified you as a member of the Communist Party. Was he lying when he identified you as a member of the Communist Party?

Mr. GATES. I will decline to answer that.

Mr. SCHERER. You sit here and call this man a paid liar and then you refuse to say whether he lied to this committee under oath.

Mr. GATES. I will decline to answer that question to this committee for the reasons that I have stated. I will back my assertions under other circumstances.

Mr. ARENS. Mr. Gates, we want to lay before you still another document. It is the Daily Worker of June (18), 1951, in which a man by the name of John Gates takes a very vigorous position against Browderism, Titoism, and Trotskyism. According to the article, all good comrades must not engage in such a thing as Browderism, which would be defection from the Kremlin, or Titoism, which is independent from the Kremlin, or Trotskyism, which would be independent from the Kremlin. John Gates, in this article, is very vigorous in condemning those people who would participate in Browderism, Titoism, or Trotskyism. That was back in 1951. First of all, look at that article and tell us whether or not it is an article which you authored?

Mr. GATES. I will decline to answer any questions before this committee having to do with my political views, opinions, writings, et cetera.

Mr. ARENS. Have you changed your position with reference to condemning people who want to be disassociated from the Kremlin?

Mr. GATES. I will decline to answer that question for the same reason.

(Document marked "Gates Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Did you participate in the recent convention of the Communists held here in New York City?

Mr. GATES. I will answer no such questions along those lines.

Mr. ARENS. Why? You would not be ashamed of participating in a convention for the uplift of humanity, would you, and goodness and peace and light and brotherhood?

Mr. GATES. Far from being ashamed, I am seeking every opportunity to tell my views about the convention to the country.

Mr. ARENS. What convention?

Mr. GATES. The National Convention of the Communist Party.

Mr. ARENS. How do you know anything about it?

Mr. GATES. I will not tell anything to this committee.

Mr. MOULDER. The witness is ordered to answer the question.

Mr. GATES. It is ridiculous, because everybody knows how I know something about it. I will decline to answer the question.

Mr. ARENS. How do you know?

Mr. GATES. Suppose you figure it out yourself.

Mr. MOULDER. The witness is ordered and directed to answer the question.

Mr. GATES. I refuse to answer the question on the grounds of the fifth amendment.

Mr. MOULDER. How are you prohibited from expressing your views to your country?

Mr. GATES. I have been invited by the students of two city colleges in the city of New York to speak before them. The college presidents of those colleges have deprived me of the right to speak to those students. This is during the week which is supposedly dedicated to academic freedom.

Mr. MOULDER. Do you know the students who invited you?

Mr. GATES. No; I do not.

Mr. ARENS. Will you speak up freely at the moment and tell us whether or not you were one of the leaders in the Communist Party convention? Do that while under oath and subject to the pains and penalties of perjury.

Mr. GATES. That is for the public to decide whether or not I am a leader of the Communist convention. I will not answer this question to this committee.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. MOULDER. The witness is so ordered and directed to answer the question.

Mr. GATES. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee now, while you are under oath and subject to the pains and penalties of perjury, whether or not you were a leader in the recent Communist Party convention in New York City, you would be supplying information which might be used against you in a criminal proceeding?

Mr. GATES. I repeat, I refuse to answer these questions because I consider them a violation of my rights under the first amendment and fifth amendment of the Constitution.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. MOULDER. The witness is so ordered and directed to answer the question referred to by counsel.

Mr. GATES. I decline under the grounds stated.

Mr. ARENS. Did you at this party convention instigate, foster, develop any resolutions condemning the armed intervention by the forces of the Kremlin in Hungary?

Mr. GATES. I will not answer any questions before this committee pertaining to the Communist Party or activities of the Communist Party.

Mr. MOULDER. May I intervene to say this: You have been complaining about not having an opportunity to express your views to the country. It seems to me that we are giving you an opportunity to

express yourself, and when you have that opportunity you avail yourself of the privileges and benefits and protection of the fifth amendment.

Mr. GATES. The first amendment gives me the right to pick places of my own choosing to state my views to the country. The first amendment does not compel me to come before this committee and express my views. In fact, I think that is a violation of the first amendment.

Mr. SCHERER. The truth is—

Mr. GATES. Furthermore, the fifth amendment to the Constitution backs up the first amendment by giving the right to people to be silent when necessary or when they so choose.

Mr. SCHERER. The real problem is that if you answered these questions, you would have to tell the truth because you are under oath. When you are speaking before a group of students, you would not be under oath, would you? You would not hesitate to lie before a group of students. Here you are under oath and that is the reason you are refusing to answer these questions.

Mr. GATES. I have the habit of telling the truth whether I am under oath or not under oath.

Mr. ARENS. I am glad you made that statement, because I want to read you again here this little reference from Nikolai Lenin in which Lenin says:

We must be able to withstand all this, to agree to all and every sacrifice, and even—if need be—to resort to various stratagems, artifices, illegal methods, to evasions and surterfuges.

Do you belong to an organization that subscribes to that doctrine enunciated by Nikolai Lenin?

Mr. GATES. I belong to no organization that subscribes to any such doctrine.

Mr. ARENS. Do you belong to the Communist Party which subscribes to that doctrine?

Mr. GATES. I will not answer any questions pertaining to the Communist Party.

Mr. MOULDER. Do you know whether or not the Communist Party does subscribe to the doctrine referred to by the counsel?

Mr. GATES. I will not answer any questions specifically pertaining to the Communist Party of the United States.

Mr. ARENS. J. Edgar Hoover, who is Chief of the FBI, issued a statement only yesterday to the effect that the masquerade put on, and the facade developed by, the Communist Party in its convention was only a ruse and a fraud and a trick. Was J. Edgar Hoover mistaken or was he correct in his interpretation of what actually transpired at this national convention of the Communist Party?

Mr. GATES. In my opinion, the views of J. Edgar Hoover on this subject are entirely false.

Mr. ARENS. You take issue with them; is that correct?

Mr. GATES. I certainly do. I think if one reads the proceedings of the national convention of the Communist Party they will speak for themselves.

Mr. ARENS. What makes you conclude that the views of J. Edgar Hoover on this subject are false?

Mr. GATES. I will refuse to answer that because it invades my rights under the first amendment to the Constitution and the fifth amendment.

Mr. ARENS. He has opened the door. He has said voluntarily that the views of J. Edgar Hoover on this matter are false. Having opened that door, he has waived any privileges he may have had under the fifth amendment. Therefore, I respectfully suggest that the witness be ordered and directed to answer the question as to why he has concluded that the views of J. Edgar Hoover on this issue are false.

Mr. MOULDER. Counsel is correct, and the witness is so directed.

Mr. GATES. I will refuse to answer that question on the grounds of the fifth amendment.

Mr. SCHERER. Mr. Chairman, may I interrupt?

Mr. MOULDER. Yes, indeed.

Mr. SCHERER. Witness, in this morning's New York Herald Tribune, Wednesday, March 13, there is an excellent account of J. Edgar Hoover's position and statement with reference to the recent Communist convention held here in New York. While it is somewhat lengthy, I am going to read part of it, and then I am going to ask you whether or not anything that is said or reported in this morning's New York Herald Tribune is incorrect. This is an article by James E. Warner. It starts on the first page of this morning's issue.

FBI Director J. Edgar Hoover declared today that, despite all propaganda assertions to the contrary, the Communist Party in the United States still is directed by Moscow as a part of the worldwide conspiracy having for one of its aims the overthrow of the United States Government.

At the request of Senator James O. Eastland, Democrat, Mississippi, chairman of the Senate Internal Security Subcommittee, Mr. Hoover submitted a 20-page report on the recent 16th Communist National Convention in New York.

The non-Communist press was not admitted to convention proceedings, "slanted" reports of which were later released, Mr. Hoover said. From the vast amount of detail presented by him as to what went on in the convention, it was apparent that the FBI had agents or other information sources at all the convention sessions.

REPORT IS QUOTED

He opened his report with the statement that:

"The Communist Party before and after its 1957 convention is part and parcel of the worldwide Communist conspiracy. It is still responsive to the will of Moscow; still works for the destruction of the American way of life and still is dedicated to building of a Soviet United States patterned after the basic concepts of Marxism-Leninism. Changes in the party's constitution, organization, and announced public objectives are designed to bring to an end a period of isolation from the American public caused by disclosures of their tactics and objectives. Should it succeed in further hoodwinking certain people, as it has with some success since the convention, then it will emerge stronger than it ever was and more dangerous to the peace and security of the United States."

HYPOCRISY CHARGED

Resolutions to either uphold or condemn Soviet aggression in Hungary and to discuss with Russian Communist leaders anti-Semitism within Russia, including "liquidation of the Yiddish writers and Jewish communal and political leaders and the snuffing out of organized Jewish cultural life * * *" were shelved by the convention through reference to the party's incoming national committee, Mr. Hoover reported.

"High Communist Party leaders are agreed," he said, "that the Soviet handling of the Hungarian situation and anti-Semitism in Russia has caused a loss in party membership and that these issues will have to be met in a satisfactory manner if the party is to gain any real mass support.

"The failure of the convention to take a stand on the Soviet rape of Hungary and anti-Semitism in Russia proves the hypocrisy of the American Communists' alleged declaration of independence and indicates that the American Commu-

nists in fact have not broken with the Soviet Union. Incidentally, these are facts which the party's spokesman, Mr. Simon W. Gerson, did not report to the daily press."

Mr. Hoover referred to Mr. Gerson's activities elsewhere in his report as follows:

"The 1957 convention was cloaked with secrecy despite party claims that it was '* * * being covered by the largest battery of newspapermen in the party's history.' Newsmen were not admitted to witness the convention proceedings, but were briefed by the party's spokesman, Simon W. Gerson, who has been a member of the party since 1932. Gerson very adroitly slanted the accounts of the convention to make the Communist Party take on its best possible appearance to the public."

ESTIMATE SUMMARIZED

At another point, Mr. Hoover declared:

"The 1957 convention was designed to hoodwink the public with a 'new look.' Its program is designed to enable them to develop a militant assault to accomplish their 'historic mission' of wrecking and infiltrating this Nation."

The FBI Director summarized his estimate of the 1957 convention's objective as follows:

"1. To gain greater mass acceptance. Ever since 1950, the party has been largely underground. Many of its functionaries were engaged in making clandestine contacts, operating as couriers, or in hiding. As a result, above-ground activity suffered. The party now hopes to send its members out among the non-Communist masses and to gain for them, through false representations of being 'loyal' and 'democratic,' a sympathetic hearing.

"2. To thwart Government prosecution. Convictions under the Smith Act and related statutes have dealt the party severe blows. The party, through its alleged 'new look,' is hoping to convince the Government, the courts, and juries that it is not a danger. It hopes that these prosecutions will be discontinued and that convicted leaders presently in jail will be released.

NEW CONTACTS SOUGHT

"3. To lay a foundation for possible unity with other leftwing groups. The Communists desperately hope to 'make contact' with Socialists, members of the non-Communist Left, liberals, etc., in an effort to secure their support for Communist projects. Such policies were not possible in the recent years of party underground activity. This is merely an echo of the aims of the international Communist movement. * * *"

Is anything I read from this morning's New York Herald Tribune, Wednesday, March 13, incorrect?

Mr. GATES. What you read only proves that J. Edgar Hoover is the head of a political police in the United States, something that is contrary to American tradition and principle.

Mr. SCHERER. I ask, Mr. Chairman, that you direct the witness to answer the question.

Mr. MOULDER. Your answer is not responsive and you are directed to answer.

Mr. GATES. I will refuse to answer any questions having to do with the Communist Party on the grounds that it is an invasion of my rights under the first amendment, because it inquires into my political views and beliefs, and on the grounds of the fifth amendment as well.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GATES. I decline to answer for the reasons I have just stated.

(Document marked "Gates Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. Are there any questions, Congressman Scherer?

Mr. SCHERER. I have no questions.

MR. MOULDER. I have no additional questions. The witness is excused, and you may claim your witness fees with Mr. Jones, who is acting as clerk of the committee.

(Witness excused.)

MR. ARENS. The next witness, Mr. Chairman, if it please the committee, will be Mr. Joseph Starobin.

MR. MOULDER. Mr. Starobin, will you hold up your right hand? Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

MR. STAROBIN. I do.

TESTIMONY OF JOSEPH STAROBIN, ACCOMPANIED BY COUNSEL, OSMOND K. FRAENKEL

MR. ARENS. Kindly identify yourself by name, residence, and occupation.

MR. STAROBIN. My name is Joseph Starobin, S-t-a-r-o-b-i-n. I reside at 51 Charles Street, New York 14. I am currently self-employed as a writer and free lance journalist.

MR. ARENS. You are appearing today, Mr. Starobin, in response to a subpoena served upon you by the House Committee on Un-American Activities?

MR. STAROBIN. That is correct.

MR. ARENS. And you are represented by counsel?

MR. STAROBIN. That is correct.

MR. ARENS. Counsel, will you kindly identify yourself?

MR. FRAENKEL. Osmond, O-s-m-o-n-d, Fraenkel, F-r-a-e-n-k-e-l, 120 Broadway, New York.

MR. ARENS. How long have you been self-employed?

MR. STAROBIN. I have been self-employed since the spring of 1954.

MR. ARENS. And in what capacity are you self-employed?

MR. STAROBIN. As a writer and free lance journalist.

MR. ARENS. For what publications do you write or have you written over the course of the last few years?

MR. STAROBIN. I am not currently writing for any publications except upon occasional request, and I have over the past several years done free lance writing for several publications abroad.

MR. ARENS. Could you tell us the names of some of these publications, please?

MR. STAROBIN. Yes. One of the publications was the Canadian Tribune, a Canadian weekly. At times I have contributed to L'Humanite, a French publication in Paris, and to L'Unita, an Italian publication in Rome. I understand that occasionally other publications have picked up articles that I have published in the above-mentioned publications.

MR. ARENS. Please tell us the publications to which you have contributed in the course of the last few years in the United States.

MR. STAROBIN. I have written most recently an article for the American Socialist in their March 1957 issue. I have sent a communication to Political Affairs—

MR. ARENS. Can you identify that publication?

Mr. STAROBIN (continuing). Which I understand to be the organ of the Communist Party of the United States.

Mr. ARENS. And when did you send an article to that publication?

Mr. STAROBIN. Some time in November, I should judge. Perhaps it was December.

Mr. MOULDER. Where is the paper published?

Mr. STAROBIN. In New York. I have contributed to Monthly Review, which calls itself an independent Socialist magazine. I have contributed to the Nation. I believe, at some point in 1954 or 1955, I reviewed a book for the Daily Worker. Perhaps it was the Sunday Worker. Unless I am mistaken, possibly there has been an article in a magazine called Mainstream.

Mr. ARENS. Would you identify that publication, sir?

Mr. STAROBIN. I understand it to be an independent review of culture and politics.

Mr. ARENS. What publications have you been identified with, in addition to being in a status of contributing articles in the course of the last several years?

Mr. STAROBIN. I have not been identified with any publication since the beginning of 1954.

Mr. ARENS. I meant prior to that time, please, sir?

Mr. STAROBIN. What span of years is several years?

Mr. ARENS. Have you ever been identified with New Masses?

Mr. STAROBIN. Yes. I was identified with New Masses from 1939 to 1942.

Mr. ARENS. In what capacity?

Mr. STAROBIN. As its foreign editor.

Mr. ARENS. Could you identify that publication?

Mr. STAROBIN. Why certainly. You mean identify it as of that period?

Mr. ARENS. Yes, sir.

Mr. STAROBIN. Yes, certainly I could.

Mr. ARENS. Do so, please.

Mr. STAROBIN. Do you have a copy of it?

Mr. ARENS. I say could you identify or characterize the publication from the standpoint of control? Was it a Communist publication?

Mr. STAROBIN. I would call it an independent radical publication.

Mr. ARENS. Is there any other publication with which you have been officially identified?

Mr. STAROBIN. I was a reporter for the Daily Worker from 1942 onwards. I became one of its editors and was a foreign editor until the beginning of 1954.

Mr. ARENS. Would you care to characterize that publication from the standpoint of control?

Mr. STAROBIN. It was controlled by debtors, as far as I am concerned.

Mr. ARENS. Was it controlled by the Communist Party?

Mr. STAROBIN. There has been a lot of difference of opinion and different testimony on that subject.

Mr. ARENS. What is your judgment as to the control of the Daily Worker?

Mr. STAROBIN. I should say, without trying to comment on the validity of the testimony one way or another, I would consider that it was a Communist publication.

Mr. ARENS. Is there any other publication with which you have been officially identified?

Mr. STAROBIN. Apart from writing articles for magazines or newspapers which I am not at the moment recalling?

Mr. ARENS. Perhaps I can prompt your recollection. How about Masses and Mainstream?

Mr. STAROBIN. I already cited that publication.

Mr. ARENS. I thought you were speaking of New Masses.

Mr. STAROBIN. No. I volunteered the information that I had written for Mainstream.

Mr. ARENS. How about New Masses?

Mr. STAROBIN. I think I have already identified it as an independent radical weekly.

Mr. ARENS. Were you an editor of that publication?

Mr. STAROBIN. I was.

Mr. ARENS. Now, Mr. Starobin, are you a Communist?

Mr. STAROBIN. No, I do not consider myself a Communist today.

Mr. ARENS. Have you ever been a Communist?

Mr. STAROBIN. Yes, I have been.

Mr. ARENS. Would you kindly tell the committee over what course of time you were a member of the Communist Party or a Communist?

Mr. STAROBIN. I was a member of the Communist Party from 1934 until late in 1953.

Mr. ARENS. Where did you join the Communist Party?

Mr. STAROBIN. I believe I joined it here in New York.

Mr. ARENS. Do you recall who recruited you into the party?

Mr. STAROBIN. No, I do not.

Mr. ARENS. Would you just proceed at your own pace, Mr. Starobin, to tell us your career in the Communist Party, the highlights of your career? You say you went in in 1934. Tell us, if you please, sir, the units to which you were assigned and certain of your principal activities in the party.

Mr. STAROBIN. No, I don't think it is necessary for me to give way to an excess of autobiography about these matters.

Mr. ARENS. Then we will do it the hard way. What was the first cell or unit to which you were assigned in the Communist Party when you joined in 1934.

Mr. STAROBIN. As I say, I don't think I want to go back into a detailed account of my career as a member of the Communist Party.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now, on this record, be ordered and directed to answer the last outstanding principal question.

Mr. MOULDER. The witness is now conferring with counsel.

(The witness conferred with his counsel.)

Mr. STAROBIN. Sir, I feel these are matters so remote in time and seem to me to have no relation to what I understand to be the purpose of the committee today that I refuse to answer that question.

Mr. ARENS. Is that the only reason?

Mr. STAROBIN. That is sufficient reason.

Mr. MOULDER. The witness is directed to answer the question. In giving this direction to you, it is not given in the spirit of a threat, but to advise you of the possible dangers of being in contempt of Congress. Therefore you are again directed to answer the question, Mr. Starobin.

Mr. STAROBIN. I don't see what a recollection of my joining an organization back in 1934 has to do with any contemporary problem that can possibly come under the purview of this committee.

Mr. ARENS. The record is clear that you have been ordered and directed to answer the question. I have a number of other questions I want to pose.

Were you a member of the Communist Party when you were identified with the Daily Worker?

Mr. STAROBIN. I was a member of the Communist Party.

Mr. ARENS. Would you kindly give us the period of your identification with the Daily Worker?

Mr. STAROBIN. The period of identification with the Daily Worker was 1942 to early 1954.

Mr. ARENS. Who engaged you at the Daily Worker?

Mr. STAROBIN. Mr. Louis Budenz.

Mr. ARENS. Do you know a man by the name of John Gates?

Mr. STAROBIN. Yes; I do.

Mr. ARENS. Did you know him as a member of the Communist Party?

(The witness consulted with his counsel.)

Mr. MOULDER. Let the record show that the witness confers with his counsel.

Mr. STAROBIN. I take the position that it has been indicated in the press that he has been a member of the Communist Party. My knowledge of that is public knowledge.

Mr. ARENS. Have you ever served in a closed party meeting with John Gates?

Mr. STAROBIN. I am not going to go into a detailed account of my affairs and history in the Communist Party.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question as to whether or not he has ever served in a close Communist Party meeting with John Gates.

Mr. MOULDER. The witness is so ordered and directed.

Mr. STAROBIN. Will you indicate what relevance that can possibly have to the purported purpose of your calling me here?

Mr. ARENS. That is not an appropriate question for you to pose to the committee at this time. Does the record reflect that the witness has been ordered and directed to answer the question?

Mr. MOULDER. Yes.

Mr. STAROBIN. Do you claim that this question is relevant to any contemporary purpose you may have?

Mr. ARENS. Yes. Otherwise we would not ask.

Mr. STAROBIN. I refuse to answer the question.

Mr. MOULDER. The committee takes the position that it is relevant and important information which you hold and could give to the committee. For that reason, we direct you to answer the question.

Mr. STAROBIN. Let me point out that my political career is a matter of public record. I am not at all ashamed of it, although I don't stand by everything I have said and done in the past. I don't feel that this committee is a proper judge of my political views today or of my activities in the past. You have not stated why you have called me before this committee in the first place. I don't see any relevance—

Mr. ARENS. The chairman gave an opening statement.

Mr. STAROBIN. Excuse me. I don't see any relevance.

Mr. ARENS. He gave an opening statement telling the scope and jurisdiction of this committee on the particular subject matter.

Mr. STAROBIN. I see no relevance between that and whom I knew in the Communist Party 15 years ago.

Mr. ARENS. Is the record clear that this witness has been ordered and directed to answer the question as to whether or not he has ever served in a closed Communist meeting with John Gates?

Mr. STAROBIN. May I ask a question, sir? Will you indicate the relevance between the purported purpose of your committee as stated by you and the answer to such a question as you have indicated here today?

Mr. MOULDER. It is relevant, and the witness is again requested and directed to answer the question.

Mr. STAROBIN. Will you indicate what the relevance is?

Mr. MOULDER. Does the witness refuse to answer the question?

Mr. STAROBIN. I have asked you a question which seems to be the determining factor in the matter.

Mr. MOULDER. We are not on the witness stand.

Mr. STAROBIN. I know, but you have to indicate some relation of what you are trying to do here today and my knowledge of somebody 15 years ago.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the record show an outstanding order now to the witness to answer the question.

Mr. MOULDER. The witness is directed to answer the question. He has been so directed at least a half dozen times.

Mr. SCHERER. You said you can't see the relevance with reference to somebody you knew to be a member of the Communist Party 15 years ago. You said you left the party in 1953; was it?

Mr. STAROBIN. That is right, toward the end of 1953.

Mr. SCHERER. When you left the Communist Party, was John Gates a member of the Communist Party? That is not 15 years ago.

Mr. STAROBIN. That was not the question that you asked, sir. I was asked when I had been hired on the Daily Worker.

Mr. MOULDER. He is posing another question now.

Mr. STAROBIN. It was public knowledge in my judgment that he was a member of the Communist Party, and that is the knowledge I have in the matter.

Mr. SCHERER. Did you know him to be a member of the Communist Party personally?

Mr. STAROBIN. I know him to be a member on the basis of what is publicly acknowledged.

Mr. SCHERER. Did you ever sit in a closed Communist Party meeting with him?

Mr. STAROBIN. I will refuse to go into all those matters.

Mr. SCHERER. I ask you to direct the witness to answer.

Mr. MOULDER. The witness is so directed.

Mr. STAROBIN. I will refuse to answer.

Mr. SCHERER. Did you sit in a closed meeting with John Gates the last year you were a member of the Communist Party, namely, 1953?

Mr. STAROBIN. Let me point out that Mr. Gates was in jail at that time.

Mr. SCHERER. All right, then, in 1952.

Mr. STAROBIN. Mr. Gates was in jail at that time.

Mr. SCHERER. What about 1951?

Mr. STAROBIN. No; I will not go into matters concerning my career in the Communist Party as pertains to individuals who may have been members. I consider that all such questions are an invasion of my right to hold political opinions and to take part in political activities, and further I will say in the words of the New York Times editorial of last summer that such kind of testimony would lacerate my conscience.

Mr. MOULDER. The committee refuses to accept your reasons just stated for refusal to answer the question propounded by Congressman Scherer and, therefore, you are directed to answer the question which he propounded to you.

Mr. STAROBIN. I have indicated the grounds on which I feel that the committee's questions are not relevant, and I believe that I have indicated my readiness to answer questions concerning my own affairs and my views, but I will not go into an area which I feel is admittedly irrelevant to the purpose of this investigation.

Mr. SCHERER. When was Mr. Gates last connected with the Daily Worker?

Mr. STAROBIN. Pardon me?

Mr. SCHERER. When was Mr. Gates last connected with the Daily Worker to your knowledge?

Mr. STAROBIN. Mr. Scherer, you had testimony here yesterday from one of your star witnesses, a sort of political Univac, Mr. Lautner, with respect to Mr. Gates. Do you so disbelieve his testimony that you find it necessary to ask me the same question?

Mr. SCHERER. I asked you the question. Do you have any knowledge as to when he was last a member of the Communist Party?

Mr. STAROBIN. Are you so unaware of Mr. Gates' position that you need my corroboration in the matter?

Mr. MOULDER. That is not responsive to the question, Mr. Witness. You are directed to answer the question. The question is, Do you have any knowledge or information concerning the last period of time when Mr. Gates was connected with the Daily Worker? Is that right?

Mr. SCHERER. Yes.

(The witness consulted with his counsel.)

Mr. STAROBIN. Will you repeat the question, sir?

Mr. SCHERER. When was the last time that you had knowledge of the fact that Mr. Gates was engaged or connected with the Daily Worker?

Mr. STAROBIN. I knew Mr. Gates as an editor of the Daily Worker back in 1951.

Mr. SCHERER. At that time, was he a member of the Communist Party?

Mr. STAROBIN. He was publicly acknowledged to be so, and I have that knowledge of it.

Mr. SCHERER. Is that the only knowledge you have?

Mr. STAROBIN. That is right.

Mr. SCHERER. The public knowledge?

Mr. STAROBIN. The public knowledge.

Mr. SCHERER. Did you sit in a closed Communist Party meeting with him in 1951?

Mr. STAROBIN. I will not go into meetings that I have sat in in the Communist Party.

Mr. SCHERER. I ask you to direct the witness once more to answer that question.

Mr. MOULDER. The witness is so directed.

Mr. ARENS. What precipitated your disassociation from the Communist Party in 1953?

Mr. STAROBIN. I had differences of opinion about the course of the Communist Party and its understanding of world events and national events.

Mr. ARENS. Did you disassociate yourself from the party or did the party disassociate you?

Mr. STAROBIN. I refused to resume membership in the Communist Party since I had been abroad; and since it would have been normal to resume membership in the party, and since I had these differences of opinion with it, I declined to reregister.

Mr. ARENS. Where had you been abroad?

Mr. STAROBIN. I had traveled abroad as an editor of the Daily Worker and as its correspondent.

Mr. ARENS. In what country or countries?

Mr. STAROBIN. I had resided in Paris from the spring of 1951 until July 1952. While in Paris, I traveled to Geneva to attend United Nations conferences. I traveled to Berlin to attend the festival of some sort that was going there that summer of 1951. In July 1952, I traveled from Paris to undertake journalistic activity in China, where I spent a good part of the next 4 or 5 months. I traveled back to attend a congress that was taking place in Vienna, and returned to China for several months; and in the course of the latter part of my stay in China, I visited northern Indochina. From China, I made my way back to Western Europe and then returned home.

Mr. ARENS. How did you get into China?

(The witness consulted with his counsel.)

Mr. STAROBIN. Obviously, in traveling to China, I crossed the Soviet Union several times.

Mr. ARENS. Did you travel to Red China on a United States passport?

Mr. STAROBIN. I did.

Mr. ARENS. Did you notify the State Department prior to the time that you went to Red China that you proposed to go to that country?

Mr. STAROBIN. There was no embargo in my passport on travel to China.

Mr. ARENS. Did you, when you made application for your passport, indicate on your application that one of the countries of your ultimate destination would be Red China?

Mr. STAROBIN. I did not know at that time that I made application that one of the countries I might visit would be China.

Mr. ARENS. Who made the arrangements for you, in the Soviet Union, for you to go into Red China?

Mr. STAROBIN. Nobody made any arrangements for me in the Soviet Union. I was invited by the Chinese to visit their country, and accepted the invitation and crossed the Soviet Union in order to do so.

Mr. SCHERER. Were you invited before you left this country or after you left?

Mr. STAROBIN. No; I was not invited before I left this country.

Mr. ARENS. Who in the Red Chinese setup in government, or what organization in Red China, invited you to visit them?

Mr. STAROBIN. I was not invited by a governmental organization. I was invited by a nongovernmental organization.

Mr. ARENS. And the name of it?

Mr. STAROBIN. The name of it is the Chinese Peace Committee.

Mr. ARENS. Where were you when you received the invitation?

Mr. STAROBIN. In Paris.

Mr. ARENS. Do you have any idea as to how they happened to send an invitation to you?

Mr. STAROBIN. I was living in Paris at the time, and somebody thought it would be a nice thing to invite me to come to China, and so they did.

Mr. ARENS. Who was it thought it would be a nice thing to invite you?

Mr. STAROBIN. It was a member of the Chinese Peace Committee whose name I am not sure I can recall.

Mr. ARENS. Who paid your expenses from Paris to China?

Mr. STAROBIN. My expenses from Paris to Berlin were paid by myself. Since I was a guest of the China Peace Committee, the China Peace Committee paid my expenses from Berlin to Peking.

Mr. ARENS. What happened when you got to Peking?

Mr. STAROBIN. I have written about this at great length. I published a book about it. I question the relevance of a detailed recount of something that I have made as a matter of public record.

Mr. SCHERER. You were not under oath when you published the book. You are under oath now.

Mr. STAROBIN. I have no objection, sir, to telling you about my experiences in China or my impressions of China.

Mr. SCHERER. Answer the questions of counsel.

Mr. ARENS. While in China, did you make any investigation to ascertain whether or not it is true that the Red Chinese Communist regime murdered an estimated 20 million of their fellow countrymen in the course of their ascension to power?

Mr. STAROBIN. Insofar as I was interested in a study of the whole evolution of Chinese affairs, I came across that allegation, and I would say I am firmly convinced that it is not true. On the contrary, sir, the chances are that about 20 million Chinese were murdered in the course of the previous 20 years of revolutionary development in China.

Mr. ARENS. Did you, in the course of your visit in China, interest yourself in the matter of the slave labor camps in which there are at this moment reposing another 20 million Chinese lingering under the hand of the Chinese regime?

Mr. STAROBIN. I interested myself in that allegation and on the basis of my very best knowledge, I would say that is highly likely to be untrue.

Mr. ARENS. Did you, in the course of your visit to Red China, interest yourself in the opium, drug, narcotics war that is being engaged in in the Far East now by the Red Chinese opium machine for the purpose of demoralizing the people of the Far East and procuring hard currency for the Chinese war machine?

Mr. STAROBIN. I can't say I did. I don't have any special interest in opium. I think the charges that are being made to that effect are very much subject to doubt.

Mr. ARENS. Did you, in the course of your visit to Red China, interest yourself in the allegation made by the Red Chinese that this Government, under whose flag you now obtain protection, was engaged in germ warfare in Korea?

Mr. STAROBIN. Yes, I interested myself very much in that subject, sir. I attended gatherings of prominent scientists from many parts of the world who come there to investigate this problem. All I can say on the subject, sir, is that I reported the point of view of both sides without expressing a judgment of my own.

Mr. ARENS. At the time you were in Red China, you were a member of the Communist Party?

Mr. STAROBIN. I would say that I considered myself such.

Mr. MOULDER. You say you wrote articles expressing the sentiments and views of both sides on the question of germ warfare. Could you now express your opinion about that? Your personal opinion, not expressing the opinion of others.

Mr. STAROBIN. My personal opinion on that is that this is one of the unsettled questions of this era, and I am prepared to examine evidence from both sides on this subject. Since I myself had no direct contact with the area or with the people involved, I felt it was my duty as a newspaperman to report both points of view, and I am prepared to leave it at that until further evidence is brought by either side.

Mr. ARENS. When did you first begin to be disillusioned with the Communist Party?

Mr. STAROBIN. I don't think you can properly understand this process in terms of the word "disillusion."

Mr. ARENS. You characterize it. I was under the impression that you said you had broken from the Communist Party.

Mr. STAROBIN. I said I had differences with the Communist Party.

Mr. ARENS. What were those differences?

Mr. STAROBIN. I said that those differences pertained to their estimate of world and national affairs.

Mr. ARENS. Give us a little bit more specific analysis.

Mr. STAROBIN. I would be glad to do that. It was my opinion, developing over several years, that the concepts that largely prevailed in the Communist Party and in my own mind—that the issues between ourselves and the Soviet Union were likely to take the form of a world war or were likely to be resolved by a physical struggle—that that concept insofar as it prevailed was an erroneous one; and I was firmly convinced that it was altogether possible that, as between the United States and the Soviet Union, both countries would contribute to easing the cold war and that there would be no physical showdown between them. In other words, I believe very much in the real possibility that an era of coexistence would succeed that period of the cold war. It was my view, sir—

Mr. MOULDER. I want to intervene again on this. I can't get this question of germ warfare off my mind. As I understand you, it is your position that, in spite of the fact that your own American Government—highly placed responsible American officials in our civil Government as well as our military—vehemently denied ever having used any germ warfare in the conflict in Korea, in spite of all that evidence and their statements and denials, that you have some question in your mind about it?

Mr. STAROBIN. Yes, sir. I am ordinarily inclined to give the benefit of the doubt to those people who vehemently deny something. I am not saying that that denial is not necessarily true. But I have also come, on the basis of study and observation, to realize that things which are at times denied by many governments subsequently turn out to at least have an aspect of truth.

Mr. MOULDER. Do you know any American soldier or anyone in the military service that has ever given any such information that they used germ warfare?

Mr. STAROBIN. I know nothing more about the matter than I have read in the press, and I have taken the position publicly that this question is open to further investigation and verification.

Mr. ARENS. Will you proceed, then, to tell us the basis upon which you and the Communist Party parted company?

Mr. STAROBIN. I was indicating, sir, that I was firmly of the opinion that the whole era of the cold war was coming to a close and that on both sides there was a real tendency toward a prolonged era of peaceful coexistence. I found that many of my friends in the Communist Party, while they agreed that that was a strong possibility, did not seem to estimate properly the real changes that were taking place in the postwar years, that were making peaceful coexistence a definite development. I found them under the impression of the probability of still greater catastrophic developments in world affairs, whereas it seemed to me that the danger of those catastrophic developments was receding. That was perhaps the center of my differences of view.

Mr. ARENS. Would you pause right there? Did you know that the Communist conspiracy was bent, and is bent this instant, upon a world revolution for world domination?

Mr. STAROBIN. I don't think, sir, that you can properly understand this issue or understand my point of view if you start off from the proposition of a conspiracy. I do not think that the Communist movement in my time was a conspiracy. I don't think people join it to conspire to do anything. They join it because they believe in certain things. I think the concept of a conspiracy is one of those that has utterly poisoned American public opinion, has affected Communists and non-Communists alike, and that we had better get away from that concept.

Mr. ARENS. Have you ever heard of dupes of the conspiracy?

Mr. STAROBIN. I have heard it alleged, certainly.

Mr. ARENS. Do you think you might have been a dupe of the conspiracy?

Mr. STAROBIN. No; I don't think I was a dupe of anything.

Mr. ARENS. Were you perhaps duped about Comrade Stalin?

Mr. STAROBIN. No; I don't think I was duped.

Mr. ARENS. Look at this article you wrote here about Comrade Stalin back in 1949, in which you were praising him as one of the great saviors of humanity, one of the leaders of all the forces of righteousness in the world, and tell us whether or not you think now perhaps you might have been a little bit mistaken about this great savior of mankind.

Mr. STAROBIN. I see the copy of the article. I will tell you right now that I might have been mistaken, but I don't think I was duped. The concept of dupe implies that somebody was duping me, whereas the chances were that my mistakes were essentially my own.

Mr. MOULDER. Who did dupe you? Was it Stalin or somebody else?

Mr. ARENS. Were you cognizant of the statements by this man, which you described as the greatest benefactor of humanity in the history of the world, that there can be no more sincere diplomacy than there could be dry water?

Mr. STAROBIN. You would have to show mere (sic) where you call him the greatest benefactor.

Mr. ARENS. Your great laudatory phrases.

Mr. STAROBIN. You would have to be more specific. I have not read the article, but I acknowledge it is my article.

Mr. ARENS. Do you acknowledge that you lauded him to the skies?

Mr. STAROBIN. I am sure I spoke favorably of him.

Mr. ARENS. You spoke more than favorably, did you not?

Mr. STAROBIN. I believe the word "favorably" certainly expresses my view of him at that time.

Mr. ARENS. Have you modified your position as of today with reference to Comrade Stalin?

Mr. STAROBIN. I certainly have.

Mr. ARENS. When did this change of position by yourself with reference to Comrade Stalin take place?

Mr. STAROBIN. Let me say that, in my favorable comments on the role of Mr. Stalin, I certainly was very unoriginal, since prominent statesmen of all countries held him in very high esteem.

Mr. ARENS. Tell us, in response to the question, when it was you changed your mind about Comrade Stalin.

Mr. STAROBIN. I think I never—

Mr. SCHERER. He means was it simultaneously with Khrushchev's change?

Mr. STAROBIN. Let me make clear that I never attached quite as much importance to the problem of Stalin, in terms of determining my own views, history and politics, as may be indicated by your question; and I certainly was shocked, as I think most people were, by the criticism which the Soviet leaders themselves make of Stalin's career.

Mr. ARENS. Did your position with reference to Stalin change before or after Khrushchev's famous speech in which he desanctified Stalin?

Mr. STAROBIN. I have not expressed any great opinion on Stalin one way or another since Mr. Khrushchev spoke. I want to make clear that my views with respect to the Communist Party have no direct relationship to Mr. Khrushchev's views about Stalin.

Mr. ARENS. Are you presently a Marxist?

Mr. STAROBIN. Yes; I would consider myself a Marxist, or at least I am trying to explore the validity of Marxist thought and its relevance to American life.

Mr. ARENS. Do you know that the Communist Party of the United States advocates the overthrow of the Government of the United States by force and violence?

Mr. STAROBIN. I don't think it does.

Mr. ARENS. Do you know that men in high positions who have studied this, such as J. Edgar Hoover and the ablest security officers we have in the Government, on the basis of testimony, on the basis of statements by undercover agents in the conspiracy, on the basis of documents of the conspiracy itself, have established to the satisfaction

of the courts, including the Supreme Court of the United States, that the Communist Party of the United States does advocate the overthrow of the Government by force and violence?

Mr. FRAENKEL. May counsel interject to this question, because I don't think it is a fair question?

Mr. ARENS. Counsel's sole and exclusive prerogative in this proceeding is to advise his client of his constitutional rights.

(The witness consulted with his counsel.)

Mr. STAROBIN. I want to point out to you, sir, that I have been very generous in answering your questions on a wide range of subject matter. If you feel that this question is relevant, I will be glad to answer it, provided that you limit the number of things that you include within the umbrella of the question. Perhaps it might be well to leave the Supreme Court out of it.

Mr. ARENS. Each one of those was a basis upon which reasonable men would conclude, and the courts have concluded, that the Communist Party is a conspiracy, and Congress has concluded. I wonder if you are cognizant of that fact when you take the position that it is not a conspiracy.

Mr. MOULDER. The first question is: Are you cognizant of the fact that the courts have so ruled?

Mr. STAROBIN. I believe some courts have ruled. Without in any way diminishing my disassociation of the Communist Party and my criticism of it, I believe that courts, like all human factors, may be mistaken in such matters.

Mr. ARENS. Mr. Starobin, you have broken part of the way from the Communist Party. Why don't you right now serve your Government by breaking all the way and tell this committee, while you are under oath, the names of persons known by you to have been members of the Communist Party as of 1953, when you broke from the conspiracy?

Mr. FRAENKEL. That is a highly objectionable question.

Mr. STAROBIN. I don't think the measure of my disassociation of the Communist Party can be found in my readiness to name the names of innocent people, some of whom I may know and others who I may not know, who may or may not be members of the Communist Party. I don't think that is a measure of whether I am or am not a Communist.

Mr. ARENS. Tell us the name of the noninnocent Communists you knew as of 1953.

Mr. STAROBIN. I will not go into that matter, sir, because I think it is the duty of all people, Communists, ex-Communists, former Communists, or non-Communists, to refuse to supply the committee with names of people whom they may have known; and I think that the supply of such names is of no service whatever to the United States Government.

Mr. ARENS. Do you have any information now as to the names of persons who were known by you to have been members of the Communist Party in the United States in 1953, when you broke from the Communist Party?

Mr. STAROBIN. Are you asking me the names of specific people?

Mr. ARENS. Yes. Do you have the names now in your mind of specific people known by you to have been members of the Communist Party in the United States in 1953?

(The witness consulted with his counsel.)

Mr. STAROBIN. Of course I knew of such people.

Mr. ARENS. You are now requested, Mr. Starobin, to furnish those names to this committee at this time.

Mr. STAROBIN. I will refuse on the grounds, sir, first that it has nothing to do with the purported purpose of this committee. Secondly, it serves no purpose with respect to the Public Law 601 under which the committee was founded. Thirdly, it is not a measure of my disassociation from the Communist Party. Fourthly, I see that it contributes nothing whatsoever except a trauma in the American mind. So the impression is given that something is being accomplished by the naming of the names of given people, whereas, in fact, communism is a movement. It is a political point of view. It must be debated on its own merits. It must be rejected if one wishes to reject it. The whole conception that gentlemen like yourself, perhaps in all good faith, have injected into this matter has served to poison the public mind.

Mr. MOULDER. The grounds which you are stating as a reason for refusal to answer are pure argument. You are directed to answer the question. The committee refuses to accept your reasons as legitimate reasons to refuse to answer.

Mr. STAROBIN. I will refuse to answer it on the grounds that it violates my own conscience.

Mr. SCHERER. How do you explain, then, the fact that juries all over this country have convicted high officials in the Communist Party and that those convictions have been sustained by the highest courts, convictions for advocating and teaching the overthrow of this Government by force and violence? How does that fit in with your speech that you have been making?

Mr. STAROBIN. How do I explain that juries have convicted people accused of that? You mean why did the juries do it?

Mr. SCHERER. How do you reconcile that with your statement that the Communist Party is just a political party?

Mr. STAROBIN. I will be glad to do that, sir. The fact of the matter is that this tendency of juries to convict people is of very recent origin. There was a time in American life, in fact, a very long time, in which it was generally recognized that Communists were people of a certain point of view. I think that the juries have been yielding to a public climate created in part by the kind of investigations that you have conducted, and I think that climate is going to disappear in American life.

Mr. SCHERER. Then the highest courts of this land when they have sustained those convictions, you say have yielded to public opinion?

Mr. STAROBIN. I think, sir, that the highest courts were divided on this question. The matter is still being reviewed. I would go further and say that our experience with many countries is that the courts may often be mistaken.

Mr. SCHERER. Gates has been convicted. His sentence was affirmed and he served his sentence and he is out. Do you mean to say that there was no evidence before those juries and that all the people who were convicted did not advocate the overthrow of this Government by force and violence?

Mr. STAROBIN. Of course there was evidence adduced.

Mr. SCHERER. Sure there was evidence adduced.

Mr. STAROBIN. Of course there was evidence adduced.

Mr. SCHERER. Do you say that evidence was all perjured evidence?

Mr. STAROBIN. I am not going to try to pass judgment on a prolonged trial, but I have knowledge in my own case of what I consider to be perjured evidence in the matter.

Mr. SCHERER. In all of those cases?

Mr. STAROBIN. I say I have knowledge of my own experience of what I consider to be perjured evidence in the matter.

Mr. ARENS. Let us read again the Communist Manifesto.

Mr. SCHERER. You see what becomes of the speech he made when you view it in the light of the fact that there has been overwhelming evidence in this country that men have advocated the overthrow of this Government by force and violence. Juries have so found and the convictions have been sustained by the highest courts in the land. Do you say the courts have been corrupted?

Mr. STAROBIN. I did not say that. They could have been mistaken and these judgments could be reversed at a future time.

Mr. SCHERER. Are they going to reverse Gates' conviction?

Mr. STAROBIN. Is that not possible? If other countries have admitted mistakes in their jurisprudence, is it not possible that we will some day admit a mistake?

Mr. ARENS. Did somebody make a mistake in the Communist Manifesto when they openly declare that their end can be attained only by the forcible overthrow of all existing social conditions? That is the Communist Manifesto.

Mr. STAROBIN. That was written by Mr. Marx and Engels about a 100 years ago. I think if it had any validity at the time, it has in our time ceased to have any validity.

Mr. SCHERER. Foster's statement is not 100 years ago.

Mr. ARENS. When he said they will take over this Government with the Red army behind it. Was he wrong?

Mr. STAROBIN. Yes; he was absolutely wrong, and I think he himself has admitted that he was wrong. He admitted that it was a foolish misjudgment of the state of affairs.

Mr. ARENS. Do you feel you were foolishly misguided in being a member of the Communist Party?

Mr. STAROBIN. No. I think I made a great many mistakes. There were aspects of my activity as a Communist which I do not stand by today, and which were mistaken in their time. But I do not regret the years I spent in the Communist Party because I think the kind of problems to which I was trying to seek an answer remain as problems which will now have to be resolved by a wider body of Americans than the Communist Party itself can possibly provide.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. I will ask you this question. You referred to your salary while you were working for the Daily Worker. Were you paid directly by the Daily Worker or did you receive your compensation from the Communist Party?

Mr. STAROBIN. The facts of that are that there was 1 year in which I was partly employed by the Communist Party. The balance of the

time, I was employed exclusively by the Daily Worker and paid by them in the period I was a member of its staff.

Mr. MOULDER. Yesterday, there was considerable testimony before the committee and evidence concerning the importation of Communist Party propaganda coming from foreign countries, from the Soviet Union and the satellite countries. Do you receive, or subscribe to, any of those publications?

Mr. STAROBIN. I don't subscribe to any of them, sir. Is that a question which will begin a line of inquiry on this, sir? I want to establish whether there are a whole series of questions that you have in mind with respect to this matter.

Mr. MOULDER. Yes.

Mr. STAROBIN. No. I don't subscribe to any of them. I occasionally receive copies of publications that are published in other countries.

Mr. MOULDER. Then you are on the mailing list to receive such publications?

Mr. STAROBIN. I may be.

Mr. MOULDER. You receive them, you say, unsolicited?

Mr. STAROBIN. That is right.

Mr. MOULDER. They are personally addressed to you?

Mr. STAROBIN. That is right, sir.

Mr. MOULDER. Any further questions?

Mr. SCHERER. In your testimony, you attack Mr. John Lautner who, like you, was a former Communist—you attack his testimony of yesterday—is there anything he said to this committee that was untrue? Did he lie to this committee in any of his identifications?

Mr. STAROBIN. I did not hear his testimony, sir. I have not read it. I know of it only from this morning's press. I did not attack his testimony. I questioned why it was that you seem to want a corroboration from me of facts which he allegedly gave you to be facts.

Mr. SCHERER. You say you did not attack Lautner?

Mr. STAROBIN. If you want to enter into a discussion of what I think of Lautner, I will be perfectly prepared to do so.

Mr. MOULDER. That is all. The witness is excused. You may claim your fees as a witness with Mr. Jones, who is acting as clerk for the committee.

(Witness excused.)

Mr. MOULDER. The committee will stand in recess for a period of 5 minutes.

(Committee members present at time of taking of recess: Representatives Moulder and Scherer.)

(Short recess.)

(Committee members present at time of reconvening: Representatives Moulder and Scherer.)

Mr. MOULDER. Call your next witness, Mr. Arens.

Mr. ARENS. Mr. Angus Cameron, kindly come forward.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CAMERON. I do.

**TESTIMONY OF ANGUS CAMERON, ACCOMPANIED BY COUNSEL,
STANLEY FAULKNER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CAMERON. My name is Angus Cameron. I live in Upper Jay, N. Y., and I am a book publisher. May I ask one right here?

Mr. MOULDER. Yes.

Mr. CAMERON. Will you identify yourself?

Mr. ARENS. My name is Richard Arens. I am director of the staff of the Committee on Un-American Activities of the House of Representatives.

You are appearing today, Mr. Cameron, in response to a subpoena which was served upon you by the House Committee on Un-American Activities.

Mr. CAMERON. Yes; which didn't explain to me why I was served.

Mr. ARENS. Are you represented by counsel?

Mr. CAMERON. Yes.

Mr. FAULKNER. Stanley Faulkner, 9 East 40th Street, New York, N. Y.

Mr. ARENS. I understood you to say in the opening response to the question, Mr. Cameron, you are in the publishing business?

Mr. CAMERON. You heard correctly.

Mr. ARENS. What is the name of the firm?

Mr. CAMERON. Cameron Associates.

Mr. ARENS. What is your relationship to the firm?

Mr. CAMERON. I am the president.

Mr. ARENS. Do you have any other business or occupation in which you are employed or engaged?

Mr. CAMERON. Yes.

Mr. ARENS. Tell us the name of any other firm with which you are identified.

Mr. CAMERON. I am also connected with the Liberty Book Club.

Mr. ARENS. How long have you been connected with Liberty Book Club?

Mr. CAMERON. Since the fall of 1954.

Mr. ARENS. And in what capacity?

Mr. CAMERON. As president.

Mr. ARENS. Where is Liberty Book Club located?

Mr. CAMERON. On 23d Street.

Mr. ARENS. Is it a corporation?

Mr. CAMERON. It is.

Mr. ARENS. What is the nature of its business?

Mr. CAMERON. Like all book clubs, it distributes to membership books selected from the list of different publishers.

Mr. ARENS. Do you own the controlling interest in the corporation?

Mr. CAMERON. No; I do not.

Mr. ARENS. Who are the other officers besides yourself in the Liberty Book Club?

Mr. CAMERON. Mr. Carl Marzani is the vice president and Mr. Alex Munsell is treasurer.

Mr. ARENS. What is the approximate volume of business of the Liberty Book Club?

Mr. CAMERON. Is that pertinent?

Mr. ARENS. Yes, sir.

Mr. CAMERON. In what way?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. MOULDER. Yes.

Mr. CAMERON. I have asked a question, too. In what way is it pertinent?

Mr. MOULDER. Your response is argumentative.

Mr. CAMERON. How do you know it is?

Mr. MOULDER. You are directed to answer the question.

Mr. CAMERON. You see you have not explained to me. I asked to begin with——

Mr. MOULDER. That is not for you to decide.

Mr. CAMERON. Just a moment. May I ask a question?

Mr. MOULDER. The witness is directed to answer the question. That direction is not given in the spirit of a threat but for the purpose of advising you of the possible dangers of being in contempt of Congress for refusing to answer.

Mr. CAMERON. The question that I would like to ask is this: On what grounds was I subpoenaed here? What is the basis for the subpoena? There was no explanation to me. I have not the slightest idea why I am here.

Mr. MOULDER. What was the question?

Mr. ARENS. The outstanding question is, what is the approximate volume of business of the Liberty Book Club.

Mr. CAMERON. Will you answer my question after I answer this one?

Mr. MOULDER. You are directed to answer.

Mr. CAMERON. About \$125,000.

Mr. ARENS. Is that \$125,000 a year?

Mr. CAMERON. That is correct.

Mr. ARENS. From what source is that \$125,000 derived, all from the sale of books?

Mr. CAMERON. From the sale of books.

Mr. ARENS. Is Liberty Book Club, or are you, or are any of the officers of the Liberty Book Club registered under the Foreign Agents Registration Act?

Mr. CAMERON. Of course not.

Mr. ARENS. Who organized the Liberty Book Club?

Mr. CAMERON. I was not in on the organization of the Liberty Book Club. I can't answer that question.

Mr. ARENS. You do not know?

Mr. CAMERON. I do not know.

Mr. ARENS. Are you a Communist?

Mr. CAMERON. I am going to decline to answer that question. I want to give my full reasons for declining to answer. I want to say first that I am going to decline to answer the question just as a man. I am declining to answer it because it is beneath my dignity before the likes of people here on the committee today——

Mr. ARENS. We have been condemned by experts.

Mr. CAMERON. Never mind. I am answering the question. You are paid to ask the questions but not put answers in my mouth. Let me answer the question.

Mr. MOULDER. Are you going to claim the fifth amendment? If so, why don't you do that?

Mr. CAMERON. I will give my reasons for refusing to answer any question. I believe I have the right to answer the question the way I wish to. I know, knowing this committee's tactics and methods, if I don't state my grounds carefully, that any number of things can happen. We are all familiar with this committee and its reputation and its record.

The first reason I am declining to answer the question——

Mr. SCHERER. We do not happen to be members of the Communist conspiracy. That is one thing of which you can not accuse us.

Mr. CAMERON. Are you prejudging? Do you know the grounds on which I am going to decline to answer the question?

Mr. SCHERER. Are you a member of the Communist Party?

Mr. CAMERON. I am explaining the reason why I am going to refuse to answer. In the first place, it is against my conscience as a man to explain anything about my political associations, my political beliefs, my moral beliefs or religious beliefs to the likes of you. I want to make that. That is one basis.

Mr. ARENS. That is just because you don't like us.

Mr. CAMERON. No; it is because I don't like what you stand for. That is the first thing.

Mr. MOULDER. We are proud of that.

Mr. CAMERON. I understand you are. You understand that I dissent from that position.

Mr. MOULDER. Proceed.

Mr. CAMERON. I am completely against what you stand for and what the committee stood for.

Mr. SCHERER. So are all Communists.

Mr. CAMERON. Never mind. Plenty of other people are interested to——

Mr. ARENS. We are used to this Commie attack.

Mr. CAMERON. You don't make any comments to me. If you want to do so, make questions.

Mr. ARENS. You are declining to answer and giving us the reasons. That is the status of the record.

Mr. CAMERON. That is correct. The first reason I decline to answer is because I am a man. It is beneath my dignity to answer questions about my political beliefs to the likes of you.

Mr. SCHERER. A man would not make that statement.

Mr. CAMERON. Never mind. I made that statement. I think a man would make that statement.

Mr. ARENS. If you are a patriotic red-blooded American then say, "Of course not, I am not a member of the Communist conspiracy."

Mr. CAMERON. Are you trying to put answers in my mouth?

Mr. ARENS. I am suggesting if you are a man, if you are a patriot, you might do that.

Mr. CAMERON. Mr. Chairman, this gentleman is paid to ask the questions and not put answers in my mouth.

Mr. MOULDER. You are under the law compelled to answer the question.

Mr. CAMERON. I am in the process of answering after numerous interruptions.

Mr. MOULDER. You are declining to answer and giving your reasons.

Mr. CAMERON. I am giving my reasons for declining to answer. The first reason I decline is because I am a man. The second reason I decline to answer is as a publisher. I decline to answer as a publisher under the first amendment to the Constitution. I think a book publisher has a peculiar responsibility to oppose and thwart the real purposes of committees like this, which is nothing more than the intimidation of any expression of views that may be opposing yours. As I say, I think a publisher has a peculiar responsibility to oppose you. I believe that publishers have a protection to oppose you under the first amendment of the Constitution which provides for freedom of the press. I believe that there are Supreme Court decisions recently which I would like to quote perhaps.

Mr. MOULDER. That will speak for itself. Proceed with your other reasons.

Mr. CAMERON. Never mind. I want to finish my reasons under the first amendment. I believe it is the obligation of anybody who has a belief in the freedom of the press in this country to oppose this committee as hard and as strongly as he possibly can.

Mr. SCHERER. What does freedom of the press have to do with your membership in the Communist Party? We are asking you, Are you a member of the Communist Party?

Mr. CAMERON. I am telling you why I refuse to answer the question.

Mr. SCHERER. Your remarks are irrelevant.

Mr. CAMERON. They may be irrelevant to you but not to me. You ask the questions. Don't judge my answers.

Mr. ARENS. Do you have another reason?

Mr. CAMERON. I have another reason.

Mr. ARENS. Are you going to get around to the fifth amendment pretty soon?

Mr. CAMERON. I am going to proudly assert that I refuse to answer the question under the protection afforded me in the fifth amendment.

Mr. ARENS. Let us get right to the point. Do you honestly apprehend that if you gave a truthful answer while you are under oath as to whether or not you are now a Communist, you would be supplying information which could be used against you in a criminal proceeding?

Mr. CAMERON. As you know perfectly well, I don't have to give any reasons for using the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness now be ordered and directed to answer that question.

Mr. FAULKNER. Will Mr. Arens stop badgering the witness? I am familiar with what you are going to read. You read it all morning.

Mr. ARENS. You better conform to it.

Mr. CAMERON. As you perfectly well know, I am not obliged to give you any reason or explanation for asserting my rights under the fifth amendment. I decline to answer that question on the same grounds, all three grounds, too.

Mr. ARENS. I respectfully suggest that this record reflect that the witness has been ordered and directed to answer the question last outstanding on the record.

Mr. CAMERON. I decline to answer the question on the three grounds I have given, as a man, under the first and fifth amendments.

Mr. MOULDER. The witness is directed to answer. However he has stated his reasons. I understand that you decline to answer for those reasons.

Mr. CAMERON. That is right.

Mr. ARENS. Do you know a person, or have you known a person, by the name of Herbert Philbrick?

Mr. CAMERON. Not to my knowledge.

Mr. ARENS. Do you know, or have you known, a person by the name of Louis Budenz?

Mr. CAMERON. No, not to my knowledge.

Mr. ARENS. Have you ever known such persons?

Mr. CAMERON. Not to my knowledge, no.

Mr. ARENS. I want to display to you here a photostatic copy of the magazine section of the Daily People's World (Friday, Jan. 7, 1955, p. 7) on the west coast in which an advertisement appears of the Liberty Book Club. The person who reads the advertisement is urged to subscribe to the Liberty Book Club, in care of the Communist Daily People's World in San Francisco. Look at that advertisement of the Liberty Book Club, of which you are president, and tell this committee if you have any word of explanation as to why people on the west coast would be urged to subscribe to Liberty Book Club in care of the Daily People's World? Can you help us on that?

Mr. CAMERON. Yes. If you knew a little bit more about the practices of the book trade, you would not bother to ask the question. Where magazines and periodicals sometimes sell books of publishers or book clubs, they will sometimes run their own ads. This ad was not set up by us, I believe; but there is an arrangement with various periodicals by which we will pay a certain amount of money—

Mr. ARENS. Let us be specific.

Mr. CAMERON. Just a minute. You are asking about this particular one. Let me finish the question. Let me finish the answer.

Mr. ARENS. Go right ahead.

Mr. CAMERON. By which a certain commission is paid for the sale of memberships.

Mr. ARENS. We understand all that. The question we are asking you about is the connection between the Liberty Book Club of which you are president and the Daily People's World on the west coast. Tell us about that.

Mr. CAMERON. I will tell you exactly about it. The connection is the connection of a seller paying a commission.

(Document marked "Cameron Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Did you know that the Daily People's World is a Communist publication?

Mr. CAMERON. I do not know necessarily that the Daily People's World is a Communist publication, and the assertion by the likes of you would not prove it to me, either. I don't ask the editorial policy of every magazine I would advertise in.

Mr. ARENS. I lay before you a reproduction of a pamphlet of the Samuel Adams School for Social Studies, showing the board of

trustees, and on the board of trustees is a person here identified as Angus Cameron. Look at that pamphlet and tell us whether or not you are he.

Mr. MOULDER. You mean whether or not he is the person referred to.

Mr. CAMERON. I am.

(Document marked "Cameron Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I lay before you a reproduction of a letterhead of the Committee for a Democratic Far Eastern Policy in which one of the sponsors of this organization is Angus Cameron. Look at that document and tell us whether or not you are he.

Mr. CAMERON. I am assuming you are going to connect this up to something. Have you established anything about these organizations?

Mr. ARENS. Just answer the question, please, sir.

Mr. CAMERON. I don't know whether I will answer the question or not. I will say this to begin with. The things I belong to are a matter of public record. I am proud of the friends I have and the associations I have made and the organizations I have joined.

Mr. ARENS. If you were proud of them, you would not hesitate to tell us about them.

Mr. CAMERON. Don't put any words in my mouth.

Mr. ARENS. You go right ahead.

Mr. CAMERON. I certainly intend to do so. Now never mind. As I say I am proud of the associations I have made, and I don't intend to explain them or go into them before this committee on the same three grounds that I gave before. I decline to answer that on the same three grounds.

(Document marked "Cameron Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Do you honestly apprehend that if you told this committee whether or not you are or have been a sponsor of this organization alluded to in that letterhead, you might be supplying information which could be used against you in a criminal proceeding?

Mr. CAMERON. As a lawyer, you ought to know that I don't have to explain to you the use of the fifth amendment. I am declining to answer this question on the ground of the fifth amendment.

Mr. SCHERER. As a lawyer and as members of this committee, we are required by the decision of the Court to explain to you that you must answer yes or no to that last question. That is what we are required to explain to you.

Mr. CAMERON. Then you will require me to consult my own counsel.

Mr. MOULDER. You are directed to answer.

Mr. SCHERER. Mr. Arens asked the question whether or not you honestly believe that to answer such a question might tend to incriminate you. That is the test the Court said we must apply.

Mr. CAMERON. Don't rewrite the Constitution. The word "incriminate" is not in the fifth amendment. I decline to answer on the grounds of the fifth amendment.

Mr. SCHERER. May I state that it is the opinion of this member of the committee, at least, that the witness has placed himself in contempt for refusing to answer that question.

Mr. MOULDER. He has been directed to answer the question and he again invoked the fifth amendment and the other reasons.

Mr. ARENS. You have told us about certain organizations with which you are identified and your pride in those organizations. I would like to lay before you now a reproduction of a letter, on the letterhead of the Conference for Legislation in the National Interest, of which the chairman, according to this, is Angus Cameron. The letter is signed by Angus Cameron, chairman of this organization. Look at the document and tell us whether or not you are the person identified on it as the Angus Cameron, working for legislation in the national interest.

Mr. CAMERON. Same answer. I decline to answer on the same three grounds.

Mr. ARENS. You are surely not ashamed of working for legislation in the national interest.

Mr. CAMERON. This is not involved in the answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he is the Angus Cameron who signed that letter.

Mr. MOULDER. The witness is so directed.

Mr. CAMERON. I decline under the fifth amendment.

(Document marked "Cameron Exhibit No. 4," and retained in the committee files.)

Mr. ARENS. Do you honestly apprehend that, if you told this committee truthfully under oath whether you are the Angus Cameron working hard for the national interest, you might be supplying information that could be used against you in a criminal proceeding?

Mr. CAMERON. Your heavy sarcasm does not touch me in the slightest, by the way. I decline to answer on the same ground.

Mr. MOULDER. The witness is directed to answer.

Mr. CAMERON. I decline to answer on the grounds stated.

Mr. MOULDER. May I ask, would your working for the national interests of your country incriminate you in any way?

Mr. CAMERON. I decline to explain my answer under the fifth amendment.

Mr. ARENS. I have here a photostatic copy of page 3 of the Communist Daily Worker of April 9, 1956, not quite a year ago, describing this organization, the Conference for Legislation in the National Interest, of which you are chairman. "Among the legislation urged for adoption by Congress" was to repeal several bills, including the Smith Act, and apparently virtually all anti-Communist legislation. Is that the position of this organization—that they are going to serve the national interest by repealing the anti-Communist legislation?

Mr. CAMERON. What you read from the newspaper is not pertinent to the question.

(Document marked "Cameron Exhibit No. 5," and retained in committee files.)

Mr. ARENS. What is the position of the Conference on Legislation in the National Interest.

Mr. CAMERON. I don't know. You read it.

Mr. ARENS. What is the position of the Conference for Legislation in the National Interest with respect to the Smith Act?

Mr. CAMERON. Let me explain something to you.

Mr. MOULDER. Let us have order.

Mr. CAMERON. I don't have the slightest intention of discussing my politics or opinions except to say that I dissent from everything you stand for. I decline to answer the questions on the three grounds, as a man, because it is beneath my dignity to answer such a question to you, under the first amendment, because I think the whole proceeding is an attempt to intimidate people against buying books we publish and distribute, and under the fifth amendment.

Mr. ARENS. We are against those who want to overthrow the Government of the United States by force and violence. Do you want to take issue with that position?

Mr. CAMERON. Let me explain to you that there is a difference of opinion about that, too. I think you are engaged in the practice of overthrowing the Government by force and violence. You are using force and violence to haul me up here. You stand for everything that this Government does not stand for. You have flouted the Bill of Rights constantly. The committee's whole record is such. In my opinion as an American citizen, which is equally as good as yours is as an American citizen, you are attempting to overthrow the Government by force and violence.

Mr. ARENS. Have you ever taken an oath of allegiance to the Government of the United States?

Mr. CAMERON. I am loyal and more than you are.

Mr. ARENS. Have you ever belonged to an organization dedicated to the overthrow of this Government by force and violence?

Mr. CAMERON. I have not.

Mr. ARENS. Do you belong, or have you ever belonged, to the Communist Party?

Mr. CAMERON. I decline to answer the question on the grounds I gave before.

Mr. MOULDER. The witness is directed to answer.

Mr. CAMERON. I decline.

Mr. MOULDER. How were you by force and violence compelled to come here?

Mr. CAMERON. If I had wanted to do what I wanted to do—to flout the authority of this committee—I would have been hauled in by the marshal.

Mr. MOULDER. Proceed.

Mr. SCHERER. You would not have been hauled in. You would have been cited for contempt.

Mr. CAMERON. I did not know that. I thought I might have been hauled in by the marshal. Then there is force and violence after the contempt.

Mr. SCHERER. Under due process by an order of court under the laws of this country.

Mr. ARENS. If you are a loyal American, would you now evidence your loyalty by telling a committee of the Congress, duly authorized by the Congress, the names of persons known by you to be members of the Communist conspiracy?

Mr. CAMERON. It is a contemptible question. Of course I won't. I won't on the grounds as a man, and on the grounds of the first amendment and on the grounds of the fifth amendment.

Mr. MOULDER. May I ask a question? Do you know any persons who are members of the Communist conspiracy?

Mr. CAMERON. Let me explain. I have to be badgered by this committee, but I do not intend to be entrapped by this committee.

Mr. MOULDER. I am not attempting to entrap you.

Mr. CAMERON. This committee has no other intention than to do that in all of its proceedings, in my opinion. That is my opinion.

Mr. MOULDER. Do you know of any person——

Mr. CAMERON. I decline to answer the question.

Mr. SCHERER. I ask you to direct the witness.

Mr. MOULDER. The witness is directed.

Mr. CAMERON. I decline.

Mr. ARENS. You have given your opinion of the committee. Would you care to give your opinion of the Communist Party?

Mr. CAMERON. No, I would not.

Mr. ARENS. Now, we would like to display to you a photostatic reproduction of a Call to a National Conference on American Policy in China and the Far East. A number of people are sponsoring this, including a person identified here as "Angus Cameron, editor in chief, Little Brown & Co." Have you ever been the editor in chief of Little Brown & Co.?

Mr. CAMERON. I have.

Mr. ARENS. Please look at this document and tell us while you are under oath whether or not you recall your identification with that organization.

Mr. CAMERON. Yes.

Mr. ARENS. Yes what?

Mr. CAMERON. The answer to your question is "Yes."

(Document marked "Cameron Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Yes; that you recall. Were you treasurer of the National Wallace for President Committee?

Mr. CAMERON. I was. Is there anything against being treasurer of a political party before this committee?

Mr. ARENS. No, but it is just of interest to the Government of the United States to know whether or not Communists do participate in those organizations and are identifiable as such.

Now we would like to display to you a photostatic reproduction of a document, American Sponsoring Committee, World Congress for Peace, in which a number of people are listed as sponsors of that group, including Angus Cameron. Kindly look at that document.

Mr. CAMERON. I don't remember, but if I had been asked I think I would have been a member of that committee.

(Document marked "Cameron Exhibit No. 7," and retained in committee files.)

Mr. ARENS. I now display to you a photostatic reproduction of a letter of the National Committee To Defeat the Mundt Bill. That is the bill which subsequently became the Internal Security Act against the Communists.

Mr. CAMERON. Against the Communists? It became the Internal Security Act against all of us.

Mr. ARENS. Against the Communists.

Mr. CAMERON. Never mind against the Communists. That is not my opinion. When you state the question, I want to object an opinion.

Mr. ARENS. That is your opinion.

Mr. CAMERON. Yes; that is right.

Mr. ARENS. Now, we have Angus Cameron listed as one of the sponsors of the [National] Committee To Defeat the Mundt Bill. Do you recall that?

Mr. CAMERON. I certainly imagine I was connected with it because I was certainly in favor of defeating the Mundt bill.

(Document marked "Cameron Exhibit No. 8," and retained in committee files.)

Mr. ARENS. Did that position of yours stem from any position you had within the conspiracy against the bill?

Mr. CAMERON. It stems from the same position that causes all kinds of people to oppose this bill, as you well know.

Mr. ARENS. Was there any connection at all, be it ever so remote, between your position against the Mundt bill and any connection you may have had with the Communist conspiracy?

Mr. CAMERON. My position against the Mundt bill is as a man and citizen of this country.

Mr. ARENS. Was that the sole and exclusive motivation you had to oppose the Mundt bill, because you were a citizen and a man?

Mr. CAMERON. All the actions I take are based on that. All of my actions are based on that, unlike yours.

Mr. SCHERER. Wasn't your opposition to the Mundt bill because of the fact that you might be convicted some day because you were a member of the Communist Party?

Mr. CAMERON. I don't oppose bills out of fear for myself. I oppose bills out of fear—

Mr. MOULDER. All the documents referred to by counsel will be admitted in evidence and made a part of the record.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. The witness is excused.

Call your next witness.

Mr. ARENS. Rose Baron, kindly come forward. Please remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony which you give to this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss BARON. I do.

TESTIMONY OF ROSE BARON, ACCOMPANIED BY COUNSEL, DAVID M. FREEDMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss BARON. Rose Baron, B-a-r-o-n, 153 East 13th Street; I am the owner of a bookshop.

Mr. ARENS. Is it Miss or Mrs. Baron?

Miss BARON. Miss.

Mr. ARENS. You are appearing in response to a subpoena served upon you by the House Un-American Activities Committee?

Miss BARON. Yes, sir.

Mr. ARENS. You are represented by counsel?

Miss BARON. Yes.

Mr. FREEDMAN. David Freedman, 320 Broadway, New York City.

Mr. ARENS. Miss Baron, where were you born?

Miss BARON. In Russia.

Mr. ARENS. Are you presently a citizen of the United States?

Miss BARON. I am.

Mr. ARENS. By what device did you become a citizen of the United States? By derivation or naturalization?

Miss BARON. By naturalization.

Mr. ARENS. When and where were you naturalized?

Miss BARON. In the Old Post Office Building.

Mr. ARENS. When?

Miss BARON. 1928.

Mr. ARENS. With what firm are you connected? You said you were in the book business.

Miss BARON. The bookstore is my own. I am the owner of it.

Mr. ARENS. What is the name of the store?

Miss BARON. Workers Book Shop.

Mr. ARENS. Do you own the entire establishment?

Miss BARON. Yes.

Mr. ARENS. How long have you owned this establishment?

Miss BARON. Since 1951.

Mr. ARENS. Where is it located?

Miss BARON. On 50 East 13th Street.

Mr. ARENS. I didn't get that.

Miss BARON. 50 East 13th Street, is that clear?

Mr. ARENS. Yes. Are you a Communist?

Miss BARON. I refuse to answer this question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of John Lautner?

Miss BARON. I heard of a stoolpigeon by the name of John Lautner.

Mr. ARENS. Mr. Lautner yesterday took an oath before this committee and laid himself open for perjury action if he lied. While he was under oath, he said he knew you as a Communist. Mr. Lautner, stand up right there, please. Look at this man. Did he lie or did he tell the truth when he swore yesterday that he knew you as a Communist?

Miss BARON. I refuse to answer this question

Mr. ARENS. Why?

Miss BARON. Because I am taking the fifth amendment, which gives me the right not to incriminate myself.

Mr. ARENS. What is the name of your establishment again; the Workers Book Shop?

Miss BARON. Yes.

Mr. ARENS. Is the Workers Book Shop a successor to the New York Workers Book Shop?

Miss BARON. I don't know of any New York Workers Book Shop.

Mr. ARENS. Is there any connection between your company and the New York Workers Book Shop?

Miss BARON. No connection at all.

Mr. ARENS. What is the address of your company?

Miss BARON. 50 East 13th Street.

Mr. ARENS. I lay before you a reproduction of a bulletin issued from 50 East 13th Street, New York City, by the Workers Book Shops in which, according to the bulletin, a guide has been compiled to help workers, students, and intellectuals find their way to communism. Look at this document and see if that refreshes your recollection with reference to any of your publications.

Miss BARON. I never saw it before. This is the first time I see this.

(Document marked, "Baron Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of William Z. Foster?

Miss BARON. I refuse to answer.

Mr. ARENS. I have here a reproduction of an article by William Z. Foster (Political Affairs, September 1952), in which William Z. Foster tells about a number of the outstanding pioneer women Communists, and he lists Mother Bloor and a number of ladies, including one Rose Baron, as one of the outstanding pioneer women Communists. Look at that article, as Mr. Jones lays it before you, and see if you can tell this committee whether or not William Z. Foster was mistaken, or whether or not he was a stool pigeon, when he identified you as an outstanding Communist.

Miss BARON. I refuse to answer this question.

(Document marked "Baron Exhibit No. 2," and retained in committee files.)

Mr. ARENS. Was Foster a stoolpigeon like Lautner when he identified you as a Communist, or was Foster being truthful in that instance?

Miss BARON. I refuse to answer.

Mr. MOULDER. State your reasons for refusing to answer.

(The witness conferred with her counsel.)

Mr. ARENS. I have a reproduction of a letterhead of the International Labor Defense, which has been repeatedly found by Government agencies to be an arm of the Communist conspiracy, and on this letterhead appears the name of Rose Baron, national prisoners relief director. Please look at that letterhead and see if you are accurately described there.

Miss BARON. I decline to answer this question because it may incriminate me.

Mr. ARENS. Are you the person referred to in the document handed to you by Mr. Jones, one of the investigators of the committee?

Miss BARON. I refuse to answer.

Mr. ARENS. And for what reason?

Miss BARON. For the reason it may incriminate me.

(Document marked "Baron Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Are you the sole owner of this Workers Book Shop?

Miss BARON. Yes.

Mr. ARENS. When did you procure it?

Miss BARON. I took over the store in 1951.

Mr. ARENS. What was the name of the store when you took it over?

Miss BARON. The same name.

Mr. ARENS. From whom did you purchase it?

Miss BARON. From the Wholesale Book Corp.

Mr. ARENS. From whom did you buy it?

Miss BARON. From a man there by the name of Kress.

Mr. ARENS. What was his first name?

Miss BARON. Irving.

Mr. ARENS. How much did you pay for it?

Miss BARON. I didn't pay cash. The debts of the store at that time were \$5,000, and the store, according to inventory, was approximately the same amount. So I took over the store with the debts and I paid it out since then.

Mr. ARENS. What is the approximate aggregate business of the store per year?

Miss BARON. About \$12,000 lately. It was much more before, but lately it is less.

Mr. ARENS. Do you sell anything these besides books?

Miss BARON. Books and periodicals; nothing else.

Mr. ARENS. Do you have Communist books there?

Miss BARON. Yes.

Mr. ARENS. Where do you get those Communist books?

Miss BARON. From publishers.

Mr. ARENS. What publishers?

Miss BARON. The International Publishers, the New Century.

Mr. ARENS. Do you know Angus Cameron?

Miss BARON. No; I don't.

Mr. ARENS. Do those firms that you have just described publish Communist books?

Miss BARON. I don't know what they publish. I know what I get from them.

Mr. ARENS. Do you get any books from the Soviet Union?

Miss BARON. Yes; I do. Not direct from the Soviet Union; I buy them here.

Mr. ARENS. How do you get the books that come from the Soviet Union?

Miss BARON. I buy them from the publishers.

Mr. ARENS. Who runs that organization?

Miss BARON. Margaret Krumbein.

Mr. MOULDER. How do you spell that?

Miss BARON. K-r-u-m-b-e-i-n.

Mr. ARENS. She is in the room now, isn't she?

Miss BARON. I think she is.

Mr. ARENS. She is here, isn't she?

Miss BARON. I think so.

Mr. ARENS. Do you know her?

Miss BARON. I deal with her. I have to know her.

Mr. ARENS. Do you know whether or not she is a Communist?

Miss BARON. I refuse to answer this question.

Mr. ARENS. We want to lay before you 2 or 3 publications from the Soviet Union, and tell us, first of all, are you registered under the Foreign Agents Registration Act?

Miss BARON. I am not.

Mr. ARENS. Is your firm registered under the Foreign Agents Registration Act?

Miss BARON. No.

Mr. ARENS. Do you sell those publications?

Miss BARON. Yes, I do.

Mr. ARENS. Look at those publications. Mr. Jones of this staff bought those publications at your store the other day.

Miss BARON. Yes; I am selling them.

Mr. ARENS. Look and see if you see any place where those publications are labeled "Communist publications" in accordance with the provisions of the Foreign Agents Registration Act.

Miss BARON. I have no idea. I have no time to look through all the publications and see what is inside.

Mr. ARENS. Where did you get those publications?

Miss BARON. I got them from the Imported Publications.

Mr. ARENS. Do you get them regularly from them?

Miss BARON. Yes.

Mr. ARENS. What other publications do you get from them?

Miss BARON. Soviet Women, Soviet Literature, International News, International Affairs, and New Times.

Mr. MOULDER. Let us go back to the magazines. I don't believe all the questions were asked that should have been asked the witness concerning the magazines.

First, counsel asked you if the magazines which you saw and were handed to you were labeled in accordance with the provisions of the Foreign Agents Registration Act.

Miss BARON. I don't know what you mean by label.

Mr. MOULDER. Can you look at the magazines and tell whether or not they are labeled in accordance with the Foreign Agents Registration Act?

Miss BARON. I have no idea. I don't know what you mean by it.

Mr. MOULDER. I think that should be clear in the record, do you know whether or not Mr. Jones bought those magazines from you which he handed to you a moment ago?

Miss BARON. Whether he bought it?

Mr. MOULDER. Yes.

Miss BARON. I don't know. I can't remember the face of every customer that comes into the store.

Mr. MOULDER. Go ahead.

Mr. SCHERER. The fact is that they are not labeled.

Mr. ARENS. I don't think we need to get into that any more.

Now I want to display to you a book which Mr. Jones bought in your store the other day and see if you recognize that book. It is New Data for V. I. Lenin's "Imperialism, the Highest Stage of Capitalism." According to the face of the book it was published by New York International Publishers. Look at that book and see if you recall that being one of the publications that you sell.

Miss BARON. Yes.

(Document marked "Baron Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Did you procure it from New York Publications?

Miss BARON. What is that?

Mr. ARENS. International Publishers. Did you procure that from them?

Miss BARON. Yes.

Mr. ARENS. Do you see it labeled any place as Communist propaganda?

Miss BARON. No. I haven't got any books that are labeled "Communist publications."

Mr. MOULDER. You say you don't have or sell any books or publications that are so labeled?

Miss BARON. What is that? I didn't get the question.

Mr. MOULDER. As I understood you to say, you do not have in your possession nor do you sell any books or publications that are labeled as Communist propaganda.

Miss BARON. To my knowledge, I haven't got any of those books.

Mr. ARENS. How long have you sold books or periodicals or publications emanating from the Soviet Union?

Miss BARON. Since I have the store, about 6 or 7 years.

Mr. ARENS. Have you ever, in the course of your experience selling books and publications from the Soviet Union, ever seen a single copy which had marked on it "This is a Communist publication?"

Miss BARON. No.

Mr. ARENS. Have you ever seen a single publication emanating from the Soviet Union which was marked pursuant to the provisions of the Foreign Agents Registration Act?

Miss BARON. No. I would like to see if there is any label like this.

Mr. ARENS. Mr. Jones will display to you, pursuant to your request, one publication we procured from the Department of Justice showing the way it is supposed to be marked pursuant to the provisions of the Foreign Agents Registration Act.

Miss BARON. It is supposed to be marked? I never saw it. This is the first time I see it.

Mr. ARENS. You have never seen that before?

Miss BARON. No.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that would conclude the staff interrogation of this witness.

Mr. MOULDER. All of the documents referred to by counsel and exhibited to the witness will be admitted in evidence and made a part of the record.

Mr. MOULDER. You used the expression "stool pigeon." Can you tell me what you mean by those words?

Miss BARON. He was saying lies about people.

Mr. MOULDER. A person who does what?

Miss BARON. What is that?

Mr. MOULDER. What did you mean by a stool pigeon?

Miss BARON. A person that tells lies about people.

Mr. SCHERER. You referred to Mr. Lautner when you said that he was a stool pigeon; didn't you?

Miss BARON. Yes; I did.

Mr. SCHERER. Did he lie about you when he said you were a member of the Communist Party?

Miss BARON. I refuse to answer.

Mr. MOULDER. The witness is excused. You may claim your witness fee with Mr. Jones here, who is acting as clerk for the committee.

Mr. ARENS. Will Margaret Cowl kindly come forward. Margaret Cowl Krumbein, I believe is the full name. Please remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear in the testimony you shall give this committee to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KRUMBEIN. I do.

**TESTIMONY OF MRS. MARGARET COWL KRUMBEIN, ACCOMPANIED
BY COUNSEL, DAVID FREEDMAN**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. KRUMBEIN. My name is Margaret Cowl. I am self-employed.

Mr. ARENS. Do you know the lady who just preceded you to the witness stand?

Mrs. KRUMBEIN. Yes; I know her.

Mr. ARENS. How long have you known her?

Mrs. KRUMBEIN. I don't know. For a number of years, I guess.

Mr. MOULDER. What is her name for the record?

Mrs. KRUMBEIN. Rose Baron.

Mr. ARENS. Have you ever served in a Communist Party meeting with her?

Mrs. KRUMBEIN. I think you should withdraw that question. It has nothing in relation to this inquiry.

Mr. MOULDER. The witness is directed to answer the question.

Mrs. KRUMBEIN. I will decline to answer that question.

Mr. MOULDER. For what reason?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I will not answer this question because it may tend to incriminate me.

Mr. MOULDER. Do I understand you are invoking the protection under the fifth amendment?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. KRUMBEIN. That is right.

Mr. ARENS. And you are represented by counsel?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. FREEDMAN. David Freedman, 320 Broadway, New York City.

Mr. ARENS. What is the name of the firm with which you are identified?

Mrs. KRUMBEIN. Imported Publications and Products.

Mr. ARENS. What is your connection with the firm?

Mrs. KRUMBEIN. I am the owner.

Mr. ARENS. How long have you owned it?

Mrs. KRUMBEIN. Since 1950.

Mr. ARENS. Where is it located?

Mrs. KRUMBEIN. 40 West 16th.

Mr. ARENS. Are you a registered agent under the Foreign Agents Registration Act?

Mrs. KRUMBEIN. I am not an agent for anybody.

Mr. ARENS. Is Imported Publications and Products a registered agent?

Mrs. KRUMBEIN. I am the owner of Imported Publications and Products and am an agent for nobody or anything.

Mr. MOULDER. Are you registered under the act referred to?

Mr. ARENS. Have you ever registered under the Foreign Agents Registration Act?

Mrs. KRUMBEIN. I am registered under the Foreign Agents Registration Act to do business with certain foreign principals.

Mr. ARENS. What are those foreign principals with whom you do business?

Mrs. KRUMBEIN. Certain firms in given countries registered as other firms.

Mr. ARENS. What countries are they and what firms?

Mrs. KRUMBEIN. One is in the Soviet Union.

Mr. ARENS. What is that firm? What does it do? What does it sell?

Mrs. KRUMBEIN. The Mezhdunarodnaja Kniga. It imports books and publications and art works.

Mr. ARENS. How long have you had a contractual arrangement with that firm in the Soviet Union?

Mrs. KRUMBEIN. Approximately 1951.

Mr. ARENS. And tell us how you happened to make that contact with the Soviet Union book company there.

Mrs. KRUMBEIN. I saw the name of this firm in a few publications as a distributing firm in the Soviet Union and I wrote and asked them if they would send me books to sell in this country.

Mr. ARENS. How much material do you receive from them in a year, or every year, approximately?

Mrs. KRUMBEIN. You mean in dollars?

Mr. ARENS. Yes. Any way you can characterize it or appraise it for us.

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. It is in the neighborhood of \$8,000 a year.

Mr. ARENS. \$8,000 worth a year?

Mrs. KRUMBEIN. Yes, approximately.

Mr. ARENS. And are there other firms in Soviet Russia with which you do business?

Mrs. KRUMBEIN. No.

Mr. ARENS. What other countries abroad do you have contractual arrangements in?

Mrs. KRUMBEIN. I have no contract with anybody.

Mr. ARENS. That you do business with?

Mrs. KRUMBEIN. With a firm in England.

Mr. ARENS. What is the name of that firm?

Mrs. KRUMBEIN. Central Books.

Mr. ARENS. Do you have any arrangements with any firm in any other so-called Soviet bloc countries?

Mrs. KRUMBEIN. Which countries are you referring to?

Mr. ARENS. Let us start with Red China. Do you import any books from Red China?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. Yes. From the Chinese Peoples Republic I do import publications.

Mr. ARENS. That is Red China.

Mrs. KRUMBEIN. And books.

Mr. ARENS. What do you import from Red China?

Mrs. KRUMBEIN. From the Peoples Republic of China I import books and publications and art works, an awful lot of art work.

Mr. ARENS. Where is the firm with which you have arrangements in Red China?

Mrs. KRUMBEIN. Peking.

Mr. ARENS. What is the name of the firm?

Mrs. KRUMBEIN. Guozi Shudian.

Mr. ARENS. What is the volume of the importations that you make from Red China?

Mrs. KRUMBEIN. We have a United States of America license to import from China, and there are periods in which we import nothing. But there are periods, as long as the license lasts, we import of 1 periodical 100 copies; 1, 50 copies; some pamphlets, 10 copies. I would have to look up the records to give you the total.

Mr. ARENS. Do you do any importing from Formosa?

Mrs. KRUMBEIN. No.

Mr. ARENS. Do you label the material that you sell?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. Pursuant to the provisions of the Foreign Agents Registration Act?

Mrs. KRUMBEIN. We label every shipment.

Mr. ARENS. We want to display to you a magazine—

Mrs. KRUMBEIN. I want to consult with my counsel.

Mr. ARENS. Go right ahead and consult with him.

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. You may proceed with the question.

Mr. ARENS. We want to display to you a magazine, Soviet Union, (No. 1, 1957) which Mr. Jones of our staff bought at your place the other day. Do you sell that publication?

(Document marked "Krumbein Exhibit No. 1," and retained in committee files.)

Mrs. KRUMBEIN. Yes; we sell this publication. We sell the Soviet Union. I don't know whether it is this particular copy. We sell Soviet Union.

Mr. ARENS. Do you stamp them as Communist propaganda before you sell them?

Mrs. KRUMBEIN. We use the label as we have arranged with the Foreign Agents Registration for every shipment which is interstate. Every shipment that is sent out of New York State.

Mr. ARENS. But you don't label the material you disseminate within New York State, is that correct?

Mrs. KRUMBEIN. We do generally, but we are not required under the Foreign Agents Registration Act to label anything but shipments that are interstate commerce.

Mr. ARENS. Do you sell material to the Workers Book Shop, of which Rose Baron is proprietor?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. Do you sell the material that you sell to her prior to the time that you sell it?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I answered that question. Sometimes we do put the label and sometimes we don't.

Mr. ARENS. Why not?

Mrs. KRUMBEIN. It is not a legal requirement to put in labels in such shipments that are not interstate commerce.

Mr. MOULDER. You mean that are not interstate?

Mrs. KRUMBEIN. Yes.

Mr. MOULDER. Shipments coming from a foreign country into the State of New York is interstate, isn't it?

Mrs. KRUMBEIN. No. Anything that we send out from New York we use the label, and every copy is taken care of with the label.

Mr. MOULDER. Under the decision of the courts, as I understand the purpose of the act, shipments coming from foreign countries into States or from one State to another are considered interstate shipments.

Mrs. KRUMBEIN. Mr. Moulder, we went to Washington before we started this business, and we had discussion with the Foreign Agents Registration section to find out just how we would legally carry out all the necessary legal requirements.

Mr. MOULDER. Do you know who those persons were?

Mrs. KRUMBEIN. No; I don't know the names of the people.

Mr. ARENS. Who went besides you?

Mrs. KRUMBEIN. My attorney went.

Mr. ARENS. The gentleman who is seated beside you now?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. From what other countries do you import this Communist material?

Mrs. KRUMBEIN. I don't import. What do you mean by Communist material? Do you mean pamphlets like Painless Childbirth that we import?

Mr. ARENS. From what other Iron Curtain countries do you import books, publications, and so forth?

Mrs. KRUMBEIN. We import dictionaries from Hungary.

Mr. ARENS. Do you import any other publications from Hungary?

Mrs. KRUMBEIN. No.

Mr. ARENS. What firm do you have arrangements with in Hungary?

Mrs. KRUMBEIN. I will give you the name. I don't remember it now. It is on file in my office.

Mr. ARENS. Is there another Communist controlled country from which you import publications?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I don't know what you mean. You must give me names of specific countries.

Mr. ARENS. What other Iron Curtain countries?

Mrs. KRUMBEIN. What countries are you referring to?

Mr. ARENS. Let us go right down the list.

Czechoslovakia.

Mrs. KRUMBEIN. No.

Mr. ARENS. Rumania.

Mrs. KRUMBEIN. Not at the present time.

Mr. ARENS. You told us about Hungary.

Mrs. KRUMBEIN. I want to also say that we import dictionaries and 19th century productions of art works, cookbooks.

Mr. ARENS. Yugoslavia.

Mrs. KRUMBEIN. No.

Mr. ARENS. Do you have contractual arrangements with any Communist controlled organizations in non-Communist countries for the purpose of importing their publications?

Mrs. KRUMBEIN. Unless you name organizations, I don't know what you are referring to. I don't understand you.

Mr. ARENS. Do you know a man by the name of William Z. Foster? (The witness conferred with her counsel.)

Mrs. KRUMBEIN. I can't answer that question.

Mr. SCHIERER. I ask you to direct the witness to answer.

Mr. MOULDER. The witness is directed to answer.

Mr. KRUMBEIN. On the grounds that I already gave.

Mr. MOULDER. Ask the question again.

Mr. ARENS. Do you know William Z. Foster?

Mr. FREEDMAN. She answered that.

Mr. MOULDER. You are directed to answer.

Mrs. KRUMBEIN. I did say I refuse to answer. I don't think it has any relation to the purpose of this inquiry in connection with the business I am in.

Mr. MOULDER. Again you are directed to answer and, in so directing, it is not in the spirit of a threat but to advise you of the possible dangers of contempt.

Mrs. KRUMBEIN. All right, I am forced to say it. I will not answer it on the basis that it may tend to incriminate me.

Mr. ARENS. I don't think I got the record clear on your name. Are you Miss or Mrs.?

Mrs. KRUMBEIN. Mrs.

Mr. ARENS. What is your married name?

Mrs. KRUMBEIN. Mrs. Margaret Cowl Krumbein.

Mrs. ARENS. Your single name was Margaret Cowl, is that correct?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. According to an article (Political Affairs, September 1952) which William Z. Foster wrote about the formation of the Communist Party in the United States, he names here a number of women whom he describes as the outstanding pioneer women Communists, including the lady that just preceded you to the stand, Rose Baron, and yourself, Margaret Krumbein. Look at that article and tell us whether or not Foster was a stool pigeon and whether or not he lied when he identified you in that article as one of the outstanding women Communists.

Mrs. KRUMBEIN. I can't answer that question on the same grounds, that I previously gave.

(Document marked "Krumbein Exhibit No. 2", and retained in committee files.)

Mr. ARENS. I want to see if you were a stool pigeon against yourself. We have here a reproduction of an article Women on the March, "Women Comrades—What Is Your Answer?" This article is written by a woman by the name of Margaret Cowl. Look at that and tell this committee while you are under oath whether or not you are a stool-pigeon against yourself.

Mr. MOULDER. Don't you think you should reframe that question and ask her whether or not she is the Margaret Cowl referred to in this article?

Mr. ARENS. Were you the Margaret Cowl referred to in the article? Did you author the article?

Mrs. KRUMBEIN. Pardon me. I want to consult.

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I do not answer this question for the same reasons I gave before.

Mr. ARENS. This article authored by Margaret Cowl talks about "Us Communists," about "we women Comrades," "we women Communists" and the like. Was the author of that defaming you when she identified you here as one of the comrades?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I do not answer the question based on the same reason I gave previously. I think that these repetitious questions have nothing to do with the purpose of this inquiry at all. By the way, was I called here to find out what kind of books I sell and how much I sell, what countries I sell these books from? I was under the impression that is why I came here.

(Document marked "Krumbein Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Does it occur to you that it might be of interest to the security of this country to ascertain whether or not Communist-identified members of the conspiratorial apparatus of the international Communist movement are pumping poison into this country in violation of the Foreign Agents Registration Act?

Mrs. KRUMBEIN. You could read the books and find out. I don't sell any such books.

Mr. ARENS. Are you a Communist?

Mrs. KRUMBEIN. It is exaggerating about the political essence of these books.

Mr. ARENS. We don't want to get into that. Let us start with the first question. Are you a Communist? Let us get that settled first and then we will go from there.

Mrs. KRUMBEIN. I don't answer that question for the same reasons I gave previously.

Mr. ARENS. Do you know John Lautner?

Mrs. KRUMBEIN. I don't answer the question for the same reason.

Mr. ARENS. John Lautner took an oath yesterday and said you were a Communist.

Mrs. KRUMBEIN. I don't answer the question for the same reasons I gave before.

Mr. ARENS. I want to lay before you still another document. "What To Study at the Workers School," a photostatic reproduction of the bulletin of the Workers School (Fall Term, 1942), in which they list a number of special courses. One of the special courses is Women in the People's War by Margaret Cowl. Tell us whether or not you were the instructor in that school.

Mrs. KRUMBEIN. I am not answering these questions because there was a reference here before to open doors in reference to a witness. I am not going to walk into any doors with traps.

Mr. ARENS. Look at this article.

Mrs. KRUMBEIN. I heard the question. I am not answering the question for reasons I previously gave.

Mr. MOULDER. Let us have the record show now, are you examining the article—

Mrs. KRUMBEIN. I heard the question.

Mr. MOULDER. That has been handed you by Mr. Jones? Do you refuse to examine it?

Mrs. KRUMBEIN. Yes; I see it.

Mr. MOULDER. Proceed.

Mr. ARENS. Do you honestly fear if you told this committee truthfully whether or not you were the lecturer there on the Women in the People's War, you would be supplying information that might be used against you in a criminal proceeding?

Mrs. KRUMBEIN. That is the same question in another form and I refuse to answer it for reasons I already gave.

(Document marked "Krumbein Exhibit No. 4," and retained in committee files.)

Mr. ARENS. I lay before you still another document, a photostatic copy of the Communist Daily Worker back in 1935 (November 22, 1935, p. 2), in which they tell about the meeting of the Central Committee of the Communist Party. In this document they list a number of people who are organizers, workers and leaders of the Communist Party who are going to have this meeting. Look at this document and tell us, if you can help this committee, if you are the Margaret Cowl, C-o-w-l, listed there as one of the leaders who is going to convene with the Communist conspiracy and work for the uplift of humanity.

(Document marked "Krumbein Exhibit No. 5," and retained in committee files.)

Mrs. KRUMBEIN. The answer is the same. It is the same question. I refuse to answer for the reasons I already gave.

Mr. ARENS. Have you run on the Communist Party ticket for public office?

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I do not answer for the reasons I already gave.

Mr. ARENS. I have here a photostatic copy of an article entitled, "How To Vote on Election Day," in the Daily Worker back in 1936 (November 3, 1936, issue, p. 4), in which are set forth the Communist Party candidates; and one Margaret Cowl is listed here running for State senator on the Communist Party ticket. Look at that and tell us whether or not you are she.

(The witness conferred with her counsel.)

Mrs. KRUMBEIN. I do not answer for the same reasons I already gave.

(Document marked "Krumbein Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Would you identify your photograph for us? We have here one of your photographs appearing in the Daily Worker (March 10, 1937, p. 6), in which you are shown here getting ready to address a mass meeting at the Manhattan Opera House in New York. You are in company, according to this article, with other leaders of the Communist Party and you are identified here as Margaret Cowl, chairman of the Women's Commission of the Communist Party. Look at that article and tell us whether or not you are accurately described and whether or not that is your photograph.

Mrs. KRUMBEIN. I think you ought to withdraw this question because it has no relation to the business I am in—

Mr. MOULDER. The witness is directed to answer.

Mrs. KRUMBEIN (continuing). And the information you are seeking.

Mr. MOULDER. The witness is directed to answer the question.

Mrs. KRUMBEIN. All right, I decline to answer for the reasons I already gave.

(Document marked "Krumbein Exhibit No. 7," and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. All documents referred to by counsel and handed to the witness will be admitted as part of the record.

Mrs. KRUMBEIN. Mr. Chairman, I want to say something. I resent and I want to protest and challenge the statement that I am distributing any kind of literature as inferred by the questioner here that is not in the interests of the United States. I want to defend the clientele who buys from me. I have here official formal orders for you to see who this clientele is and the purpose for which they buy this material and the kind of material we distribute.

If we make a contribution to women of this country for them to give birth to babies more painlessly, I think I am doing a wonderful thing in the interest of the United States and the American people.

Mr. ARENS. Do you think you would be doing a wonderful thing if you distributed Communist propaganda in violation of the Foreign Agents Registration Act?

Mrs. KRUMBEIN. I am not violating that act.

Mr. ARENS. Let us take the first part of the question. Do you distribute Communist propaganda?

Mrs. KRUMBEIN. We sell books and literature; and every book and every little thing—whether it is artwork, whether it is a publication or a book or pamphlet—that we get is passed by customs. Anything that is not passed by customs, I could not get. Also, a copy is sent to the Foreign Agents Registration Section for them. They have probably a wonderful big library there of everything we sent in.

Mr. MOULDER. Do you think by being a member of the Communist Party, if you are a member of the Communist Party, and actively so, that you would be promoting the welfare and security of the United States?

Mrs. KRUMBEIN. What has that to do with my business in selling books?

Mr. MOULDER. Answer my question.

Mrs. KRUMBEIN. It has nothing to do with this inquiry. What has it got to do with it?

Mr. MOULDER. Will you answer the question?

Mrs. KRUMBEIN. No; I will not answer that question because I think it has nothing to do—

Mr. MOULDER. Why do you decline to answer the question?

Mrs. KRUMBEIN. For reasons I already gave.

Mr. MOULDER. And that was claiming the privilege under the fifth amendment of the Constitution?

Mrs. KRUMBEIN. Yes.

Mr. ARENS. Where were you born?

Mrs. KRUMBEIN. Brooklyn, N. Y.

Mr. ARENS. Thank you.

Mr. MOULDER. The witness is excused and you may claim your witness fee with Mr. Jones, who is acting clerk for the committee.

The committee will stand in recess until 2 p. m.

(Whereupon, the committee was recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION—WEDNESDAY, MARCH 13, 1957

Mr. MOULDER. The committee will be in order.

Call your next witness, Mr. Counsel.

(Committee members present: Representatives Moulder and Scherer.)

Mr. ARENS. Mr. Sol Auerbach, kindly come forward.

Mr. MOULDER. Do you solemnly swear the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALLEN. I do.

**TESTIMONY OF JAMES S. ALLEN (SOL AUERBACH), ACCOMPANIED
BY COUNSEL, HARRY SACHER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. ALLEN. James S. Allen. My given name is Sol Auerbach. I live at 134 West Hudson Street, Long Beach.

Mr. ARENS. Your occupation?

Mr. ALLEN. I am a writer and editor.

Mr. ARENS. Do you prefer to have me call you Allen?

Mr. ALLEN. That is the way I am generally known.

Mr. ARENS. You appear in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. ALLEN. I do.

Mr. ARENS. And you are represented by counsel?

Mr. ALLEN. I am.

Mr. ARENS. Kindly identify yourself on this record.

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17.

Mr. ARENS. Where were you born, Mr. Allen?

Mr. ALLEN. Philadelphia, Pa.

Mr. ARENS. With what firm are you connected?

Mr. ALLEN. I will decline to answer that question and state my grounds for doing so. I decline and invoke the privileges which I have under both the first and fifth amendments.

Mr. MOULDER. Very well; proceed, Mr. Arens.

Mr. ALLEN. I am not complete in making my statement, sir. I would like to explain why I invoke any privileges under these amendments.

Mr. MOULDER. That is not necessary.

Mr. ALLEN. I consider the mere act that I and others are called an invasion of the ground that is specifically protected by the first amendment, guaranteeing the freedom of publication and the freedom to read.

Mr. ARENS. Where are you employed?

Mr. ALLEN. I have said I will decline to answer that question, and I am explaining why I am not answering the question.

Mr. ARENS. Are you a publisher?

Mr. SACHER. Mr. Chairman, I think the witness should be permitted to state his reasons.

Mr. MOULDER. He has taken the privilege under the first and fifth amendments.

Mr. SACHER. He should be permitted, briefly, to explain.

Mr. MOULDER. He should not be permitted to make a speech.

Mr. ALLEN. I don't want to make a speech. Mr. Chairman, may I have the courtesy of the committee?

Mr. MOULDER. How much time will it require?

Mr. ALLEN. No more than a few minutes.

Mr. MOULDER. Let us be more accurate than that. Would you say 2 or 3 minutes?

Mr. ALLEN. It will take longer than that.

Mr. MOULDER. All right.

Mr. ALLEN. I consider this action of the committee is an invasion of this ground which is protected by the first amendment, and that it applies to all publishing, not only the specific writers, publishers, and publications that you have called to appear before you. It is that, and it is more than that. It is depriving the people of the freedom to read, with respect to the people who purchase or buy or read these publications. This is a distinct invasion of the amendment which holds a privileged position in our Constitution.

Mr. ARENS. Do you feel that a man who is a Communist is above the purview of congressional scrutiny with reference to his Communist activities? Is that correct?

Mr. ALLEN. I feel a man who is a Communist has a right to his views and has a right to express them before the American people as a whole without being subpoenaed before committees and passed through a processing.

Mr. ARENS. Express to this committee whether or not you are a Communist.

Mr. ALLEN. I have refused and I will refuse to answer that question on the grounds I have already stated.

Mr. ARENS. Do you know a man by the name of John Lautner?

Mr. ALLEN. I refuse on the same ground.

Mr. ARENS. Mr. Lautner, will you stand up. Look over your left shoulder, Mr. Allen. This man standing here yesterday took an oath and left himself open to perjury action. He can go to jail if he lied. He said he knew you as a Communist. Was he lying or was he telling the truth?

Mr. ALLEN. Which question do you wish me to answer?

Mr. ARENS. Answer the question. Don't quibble with me. Was he lying or telling the truth when he said you were a Communist?

Mr. ALLEN. I refuse to answer that.

Mr. ARENS. Now we lay before you a photostatic reproduction of a certificate filed with the county clerk's office in New York County for an increase in the stock by the International Publishers Co., Inc., on which appear the names of the officers of that company, the International Publishers, including one Sol Auerbach and a signature there of Sol Auerbach. Please look at that signature and tell this committee while you are under oath whether or not you are he.

Mr. ALLEN. I decline to answer the question.

Mr. ARENS. Is that your signature appearing there as one of the officers of International Publishers?

Mr. MOULDER. The witness is directed to answer unless sufficient reasons are given for his refusal to answer.

Mr. ALLEN. I have stated my reasons and I decline on the basis of the first and fifth amendments.

(Document marked "Allen Exhibit No. 1," and retained in committee files.)

Mr. ARENS. I lay before you a photostatic reproduction from the Communist Daily Worker of August 5, 1956 (p. 13), in which appears your photograph, James S. Allen, identified here as a leading Marxist historian and political writer, contributor, and former staff member of the Communist Daily Worker and Sunday Worker and other identification. Please look at that and help this Committee on Un-American Activities by telling us if you are accurately described there in your various capacities.

Mr. ALLEN. I will not help this committee in its objectives and I refuse to answer the question.

Mr. MOULDER. The witness is directed to answer. The committee refuses to accept your refusal and you are advised of the dangers you might be confronted with by being in contempt of Congress.

Mr. ALLEN. I decline on the grounds I have already stated.

(Document marked "Allen Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I lay before you a copy of the Labor Defender, in which Sol Auerbach is identified as associate editor. Please look at this document and tell us whether or not you are accurately identified.

Mr. ALLEN. I refuse to answer the question, sir, on the same grounds.

(Document marked "Allen Exhibit No. 3," and retained in committee files.)

Mr. ARENS. I have here a photostatic reproduction of a letterhead of the American League for Peace and Democracy in which you are identified as a member of the executive board, James S. Allen. Please look at that and tell us whether or not you are accurately identified.

(Document marked "Allen Exhibit No. 4," and retained in the committee files.)

Mr. ALLEN. I refuse to answer on the same grounds.

Mr. ARENS. Have you, in addition to your publishing work, been engaged in certain lecturing and teaching and professorial activities?

Mr. ALLEN. I will answer none of these questions on the same grounds.

Mr. ARENS. I lay before you a photostatic reproduction of the bulletin of the Jefferson School of Social Science in which you are listed here as one of the teachers of the Jefferson School of Social Science. Please look at that bulletin and tell this committee whether or not you are accurately identified.

Mr. ALLEN. I will not answer the question on the same grounds.

(Document marked "Allen Exhibit No. 5," and retained in committee files.)

Mr. ARENS. We have a photostatic reproduction of The Communist—a little booklet called The Communist—in which James S. Allen, namely, yourself, is one of the writers on the "Prologue to the Liberation of the Negro People." Please look at this document and tell us

whether or not you are accurately described there and whether or not you are the author of that article.

Mr. ALLEN. I decline to answer on the same grounds as stated.

(Document marked "Allen Exhibit No. 6," and retained in committee files.)

Mr. ARENS. I have before me still another photostatic reproduction of The Communist in which James S. Allen writes an article about The Soviet Nations and Teheran, telling all about the friendship of the Soviet Union. Please look at this article and tell us whether or not you are the author of it.

Mr. ALLEN. I will not answer on the same grounds.

(Document marked "Allen Exhibit No. 7," and retained in committee files.)

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. ALLEN. I decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. MOULDER. The witness is so directed.

Mr. ALLEN. I decline to answer on the grounds already stated.

Mr. ARENS. What was your employment immediately preceding the present employment?

Mr. ALLEN. The same reply.

Mr. MOULDER. The witness is directed to answer. The reason for giving the direction is to indicate that the committee refuses to accept your response to the question and also advises of the dangers that you might be faced with in connection with being in contempt of Congress.

Mr. ALLEN. I am well aware of the dangers I am confronted with before this committee, and I refuse to answer on the grounds previously stated.

Mr. ARENS. Do you honestly apprehend if you told this committee truthfully what your employment was preceding your present employment, you would be supplying information that might be used against you in a criminal proceeding?

Mr. ALLEN. I decline on the grounds previously stated.

Mr. SCHERER. I ask you to direct the witness to answer that question because the law requires he answer yes or no to that question.

Mr. MOULDER. The witness is directed as requested by Mr. Scherer.

Mr. ALLEN. I decline to answer on the grounds provided me by the fifth amendment.

Mr. ARENS. Have you ever registered as an agent of a foreign power with the Department of Justice pursuant to the provisions of the Foreign Agents Registration Act?

Mr. ALLEN. I decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question. It is a matter of public record.

Mr. MOULDER. The witness is so directed.

(The witness conferred with his counsel.)

Mr. ALLEN. I decline to answer the question on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. The witness is excused. You may claim your witness fee by signing the voucher.

Mr. ARENS. Jessica Smith, please come forward.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss SMITH. I do.

**TESTIMONY OF JESSICA SMITH (ABT), ACCOMPANIED BY COUNSEL,
JOSEPH FORER**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Miss SMITH. My name is Jessica Smith. My married name is Jessica Smith Abt. My occupation is editor and writer.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Miss SMITH. I am appearing in answer to that subpoena and also I would like to say under very serious protest because I think that this whole investigation is an invasion of the rights of freedom of the press, and I would like to have you know that our magazine has no connection with any of the sort of thing you have been talking about.

Mr. ARENS. We will get into that in a moment.

Miss SMITH. I want to finish this statement because you won't understand anything I say unless I finish this.

Destroying the American way of life is the farthest thing from any of our purpose. The purpose of our magazine is understanding and peace and to get rid of the threat of atomic war. If that threat should come through, that would be the greatest possible threat to the American way of life.

Mr. ARENS. We will get into that in a moment, please.

Miss SMITH. You are represented by counsel?

Miss SMITH. This is my counsel.

Mr. FORER. Joseph Forer of Washington, D. C.

Mr. ARENS. To start with this question of the threat, let us start with the elemental. Are you now a member of the Communist Party?

Miss SMITH. I must decline to answer this question, first of all on the grounds I have already indicated, that I believe this hearing is an invasion of the first amendment, and I stand on my rights under the first amendment to the Constitution, which guarantees freedom of speech and of press.

Furthermore, I decline to answer on the ground of my right under the fifth amendment not to be a witness against myself.

Mr. ARENS. Do you know a man by the name of John Lautner?

Miss SMITH. I refuse to answer that question on the grounds that I have just given.

Mr. ARENS. Mr. Lautner, please stand. Mr. Lautner yesterday took an oath before this committee and identified you as a person known by him to have been a Communist. Was he lying or telling the truth?

Miss SMITH. I refuse to answer on the grounds that I have just given.

Mr. ARENS. What is the publication with which you are identified, please?

Mr. FORER. Will the Chair permit cross-examination of Mr. Lautner?

Mr. MOULDER. Ask him to the stand again. I would like to submit a question. You didn't look at Mr. Lautner when Mr. Arens asked that you look. Do you see the gentleman standing there?

Miss SMITH. Is it under perjury rules necessary that people look here and there?

Mr. MOULDER. Yes, if you intend to give a response to the question in good faith. You would have to look to see.

Miss SMITH. I gave my answer in perfectly good faith.

Mr. MOULDER. Would you look at him?

(The witness complied with the request.)

Miss SMITH. I decline to answer on the grounds.

Mr. MOULDER. Do you know the man standing there?

Miss SMITH. I decline to answer for the reasons that I have previously given.

Mr. FORER. Will you permit cross-examination, Mr. Moulder, of Mr. Lautner?

Mr. MOULDER. Proceed.

Mr. ARENS. Kindly tells us with what publication you are identified.

Miss SMITH. New World Review.

Mr. ARENS. In what capacity are you identified with the publication?

Miss SMITH. I am the editor.

Mr. ARENS. How long have you occupied that post?

Miss SMITH. As editor of New World Review, since 1951.

Mr. ARENS. What was the predecessor organization or publication of which New World Review is the successor organization?

Miss SMITH. The predecessor magazine was Soviet Russia Today.

Mr. ARENS. Were you identified with Soviet Russia Today?

Miss SMITH. I was its editor.

Mr. ARENS. And over what period of time were you editor of Soviet Russia Today?

Miss SMITH. From the spring of 1936, I believe until it became New World Review.

Mr. ARENS. What is the circulation of New World Review?

Miss SMITH. You know according to law the circulation of a monthly publication does not have to be published. Is it required that you have that circulation?

Mr. ARENS. Please answer the question. Tell us the circulation.

Miss SMITH. It is rather low at the present time. It is around 6,500 or 7,000, something around there. It has been much higher in previous years.

Mr. ARENS. Who owns the present publication of which you are the editor?

Miss SMITH. The publisher and owner of this publication is Mr. Frederick Field.

Mr. ARENS. Is that Frederick Vanderbilt Field?

Miss SMITH. Yes.

Mr. ARENS. Is he the sole owner?

Miss SMITH. There is a corporation of which he is the main owner. There is a little stock maybe held by some of the other members.

Mr. ARENS. Are you on the board of directors of the National Council of American-Soviet Friendship?

Miss SMITH. I would decline to answer that question for the reasons I have already given.

Mr. ARENS. I lay before you now the photostatic reproductions of a number of letterheads of the National Council of American-Soviet Friendship, Inc., in which you are identified as a member of the board of directors of that organization.

Miss SMITH. What was your question?

Mr. ARENS. Are you accurately described here as a member of the board of directors of this organization?

Miss SMITH. I will decline to answer for the reasons already given.

(Documents marked "Smith Exhibit No. 1," and retained in committee files.)

Mr. ARENS. I lay before you a photostatic reproduction, if you please, of an article in New Masses by yourself as editor of Soviet Russia Today, lauding the 25th anniversary of the Red army. Kindly look at that article and tell us whether or not you are accurately described and whether or not that is an accurate reproduction of your article.

Miss SMITH. This is not an article. This is a letter written to me about a dinner.

Mr. ARENS. You mean written by you?

Miss SMITH. Written by me about a dinner that was given at a time when the United States and the Soviet Union were allies during the war. A dinner which received congratulatory telegrams from people like Harry Truman and Ralph Barr and a great many Government officials in Washington. Ambassador Davies spoke. You have it all here.

(Document marked "Smith Exhibit No. 2," and retained in committee files.)

Mr. ARENS. It is all there. Have you changed your position with reference to the Red army since that occasion?

Miss SMITH. I don't know exactly what you mean.

Mr. ARENS. You laud the Red army in that article. Have you changed your position since you wrote that article?

Miss SMITH. The Red army was our ally during the war——

Mr. SCHERER. May I interrupt a minute?

Miss SMITH. And made a very great contribution to the fight against Hitler. I don't see any reason to change my opinion about it.

Mr. SCHERER. May I interrupt? Wouldn't you rather say that the Red army was a cobelligerent rather than an ally with us?

Miss SMITH. Would I——

Mr. ARENS. Has your position with reference to the Red army been modified any because of the recent events in Hungary when segments of the Red army mowed down the population of that nation like wheat in a wheatfield?

(The witness conferred with her counsel.)

Miss SMITH. I think I should call your attention to the fact that this letter is purely an announcement. It is not lauding the Red army as such.

Mr. ARENS. You told us not more than a minute ago your high estimate of the Red army.

MISS SMITH. I was telling you the occasion on which this dinner was held.

MR. ARENS. Now tell us whether or not you have modified your view with reference to the Red army since the events in Hungary.

MISS SMITH. This is a question which could not possibly be answered in the terms that you put it.

MR. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

MISS SMITH. If you will let me answer in my own terms perhaps I can explain something to you.

(The witness conferred with her counsel.)

MISS SMITH. The only opinion that is expressed there is in relation to the attitude of the Red army during the World War.

MR. ARENS. Kindly tell us whether or not you have modified that opinion of the Red army.

MISS SMITH. I have not modified my opinion of the behavior of the Red army during the World War, which is the only question.

MR. ARENS. Tell us what is your attitude toward the Red army's behavior in Hungary.

MISS SMITH. I have to tell you something more about that. I have to tell you that my main concern and purpose in life is to help get rid of all armies everywhere. This is my greatest concern in this magazine.

MR. ARENS. Are you concerned with getting rid of the Red army in Hungary?

MISS SMITH. Would you please wait and let me finish what I have to say? I believe the reason the Red army was in Hungary is because of the whole possible war, cold war situation, the same reason that our armies, the United States armies, are in Western Europe. I believe that the United States Army should withdraw from every country where it is and I believe that the Red army should withdraw from countries where it is staying outside of its borders. This is a policy which a great many people are advocating today and which I think is the most important point for us to concentrate on, getting all armies away from other lands.

MR. ARENS. Did you do any concentrating on the point of getting the Red army out of Hungary when it was in there mowing down women and children?

MISS SMITH. I made the point very, very strongly in writing about the Hungarian situation in my magazine, that I thought all armies of both East and West, that the English and French armies should get out of Egypt, that our armies should get out of places where they were where they had no right to be and that the Red army should get out of Hungary, too, by international agreement.

MR. ARENS. How about the web of international agents of the conspiracy?

MR. SCHERER. Just a minute, Mr. Counsel. What you have stated, Madam, is the present policy of the Russian Government?

MISS SMITH. A great many very prominent Americans have expressed themselves as thinking this would be a very, very important move for world peace.

MR. SCHERER. I understand that.

MISS SMITH. Some leading Americans.

Mr. SCHERER. Will you answer my question, please?

Is not what you have just said the policy of the Russian Government at the present moment?

Miss SMITH. The Soviet Government has very definitely in several peace proposals advocated all troops withdrawing—their troops and the United States troops.

Mr. ARENS. Do you advocate also the withdrawing of the Red agents in the web of subversion that encircles this globe, masterminded by the Kremlin? Are you against that, too?

Miss SMITH. I don't know what you are talking about. I don't understand this kind of question.

Mr. ARENS. Do you propose, or do you advocate, that the Communist agents in the non-Communist countries of the world be withdrawn? Have you ever taken that position?

Miss SMITH. I don't know what you mean. I don't know what agents there are. I do know that, as long as a war exists in the world, every single government has its agents in other countries. That is one of the things I want to get rid of, too.

Mr. ARENS. Do you want to get rid of the Communists that are in the non-Communist countries?

Miss SMITH. I want to get rid of all agents of governments in the interest of war or anything like that. I don't differentiate between any special kind.

Mr. ARENS. You are helping us a little bit. Are the Communists in the United States agents of a foreign power?

Miss SMITH. Not to my knowledge.

Mr. ARENS. Are the Communists in the other countries of the world agents of the Kremlin?

Miss SMITH. As I have said before, every country has some kinds of agents in other countries. Now to specify any particular kind of people as always agents when they are in other countries is something quite beyond my comprehension.

Mr. ARENS. I lay before you a photostatic reproduction of one of your advertisements, or an advertisement, appearing in your publication, "Soviet Russia Today" announcing the formation of a lecture bureau offering outstanding lectures on all phases of Soviet life," including a number of lectures, and one Jessica Smith, including a number of lecturers, and one Jessica Smith.

Please tell this committee while you are under oath whether you are accurately described there as one of the lecturers who knows all about life in Soviet Russia.

Mr. FORER. Where is this? Did you say that there is a description here that she knows all about Soviet Russia? This is what he means.

Miss SMITH. It doesn't say "know all about." It says these lecturers will bring the living truth about the Soviet Union, or something like that, to your club or organization.

There is a general overall phrase about lecturers on all phases of Soviet life, yes. Different lecturers on different phases.

Mr. ARENS. Now tell us, are you accurately described there as one of the lecturers in this series?

Miss SMITH. At that time, as far as I can remember, it was some time ago, back in 1936.

Mr. ARENS. And you were one of the lecturers?

Miss SMITH. I was one of the lecturers.

Mr. ARENS. Thank you, ma'am.

(Document marked "Smith Exhibit No. 3," and retained in committee files.)

Mr. ARENS. I lay before you a photostatic reproduction of a document entitled "We Pledge Peace." We are going to greet the Soviet Union and we are going to "break the boycott on truth," in which Jessica Smith is described as an author of *Women in Soviet Russia* and *People Come First*. Jessica Smith is described as one who has traveled extensively in the Soviet Union. First of all, look at that and tell us whether or not you are accurately described.

Miss SMITH. I see nothing wrong with it.

(Document marked "Smith Exhibit No. 4," and retained in committee files.)

Mr. ARENS. When did you travel extensively in the Soviet Union? I just want to be sure; do you accept the identification there of yourself?

Miss SMITH. Yes.

Mr. ARENS. Thank you. When did you travel extensively in the Soviet Union?

Miss SMITH. The first and longest trip in which I traveled most extensively was when I went with the American Friends Service Committee after the World War which was, as you may remember, part of the Hoover relief administration to do famine-relief work.

Mr. ARENS. That was the First World War?

Miss SMITH. After the First World War.

Mr. ARENS. Were you a Communist at that time?

Miss SMITH. I refuse to answer that question for the reasons that I have previously given.

Mr. ARENS. Let us get your second trip.

Miss SMITH. You are sort of interrupting me.

Mr. ARENS. I apologize, ma'am. Tell us about your second trip to Soviet Russia.

Miss SMITH. The second trip was during 1926 and 1927, when I wrote the book that was there described about *Women in Soviet Russia*.

Mr. ARENS. What occasioned your trip to Soviet Russia?

Miss SMITH. General interest—

Mr. ARENS. Who paid for it?

Miss SMITH. In agricultural and other developments in the Soviet Union that had grown out of my work with the Quakers.

Mr. ARENS. Who paid for your trip, do you recall, or under whose auspices did you make this trip?

Miss SMITH. I think I will decline to answer that question for the same reasons I gave before.

Mr. ARENS. It was not paid for by the Communist Party surely, was it?

Miss SMITH. I decline to answer. That is a very loaded kind of question, I might add at this point, and I think it would be nicer if you would just direct your questions to get straight answers and not put in these little tricky things that have nothing to do with what you are asking or what I have to answer.

Mr. SCHERER. Let me ask you a direct question. Did the Communist Party pay for your expenses on the trip?

Miss SMITH. Because of the nature of the questioning at this point, I decline to answer for the reasons I have previously given.

Mr. ARENS. Did you take another trip to Soviet Russia?

Miss SMITH. Yes; I took another short trip in the summer of 1935.

Mr. ARENS. What occasioned that trip?

Miss SMITH. Just general interest to see how things were developing, to go to some of the places I had been before and see what growth and progress had taken place.

Mr. ARENS. Who paid for that trip?

Miss SMITH. To the best of my recollection, I paid for it myself.

Mr. ARENS. Was it under the auspices of any group or organization?

Miss SMITH. I went for a short time as an individual.

Mr. ARENS. Is that the last trip you made to Soviet Russia?

Miss SMITH. No. I went again after the war.

Mr. ARENS. After the Second World War?

Miss SMITH. After the Second World War.

Mr. ARENS. What year was that that you went to Soviet Russia?

Miss SMITH. At the end of 1945.

Mr. ARENS. How long were you gone?

Miss SMITH. Approximately 3 months; maybe a little more.

Mr. ARENS. Under whose auspices did you go?

Miss SMITH. I went under the auspices of our magazine.

Mr. ARENS. Who accompanied you on the trip?

Miss SMITH. Nobody accompanied me on the trip.

Mr. ARENS. Whose guest were you in Soviet Russia?

Miss SMITH. While I was in the country, I was the guest of the Society for Cultural Relations.

Mr. ARENS. Did you have access around the country to the various activities and institutions that were there so you could come back and write your books about it?

Miss SMITH. I went to quite a lot of cities and places; yes.

Mr. ARENS. Did you see any slave-labor camps?

Miss SMITH. I didn't see any.

Mr. ARENS. Did you look around to see if you could find any of them?

Miss SMITH. I looked around to see everything I could possibly see in the short time that I had.

Mr. ARENS. They didn't hide them from you, did they?

Mr. FORER. Is this proper questioning?

Mr. ARENS. Counsel, I don't have to read you the rules, as I did to Mr. Sacher. You know your sole and exclusive prerogative is to advise the client.

Did you see any slave-labor camps in Soviet Russia?

Miss SMITH. No.

Mr. ARENS. Did you ask conditions about the prison camps?

Miss SMITH. I asked about the conditions of prisons.

Mr. ARENS. Did you ask about slave-labor camps?

Miss SMITH. I don't agree with that terminology. I know there were concentration camps where there were prisoners of war.

Mr. ARENS. Did you ask anything about the political prisoners there, people put in there because of political beliefs?

Miss SMITH. I had conferences about many different things.

Mr. ARENS. What did they tell you about the political prisoners?

Miss SMITH. This was not one of the things on which I concentrated.

Mr. ARENS. Why were you not concerned about that?

Miss SMITH. I am very much concerned about these questions.

Mr. ARENS. Why didn't you make a little exploration over there to find out about these slave-labor camps?

Miss SMITH. Because I understood that the Soviet Union had been through an incredibly difficult period. They had lost something like 20 million people.

Mr. ARENS. They killed about 10 million, did they not, of their own citizens?

Miss SMITH. No; I heard of nothing like that. I think that is a very much exaggerated statement.

Mr. SCHERER. Was it 9 million?

Miss SMITH. They had lost something like 20 million people in the war. Everybody I saw, every single person I saw, had lost somebody in the war. Their cities were devastated. I went to Stalingrad.

Mr. ARENS. Did you see Stalin while you were there?

Miss SMITH. A city that was completely wiped out and a city, which as you may remember, the defense of which caused the entire turning point of the war.

Mr. ARENS. What does this have to do with slave-labor camps?

Miss SMITH. I am telling you why I didn't concentrate so much on questions of political prisoners and things of that kind.

Mr. ARENS. What were you concerned about?

Miss SMITH. When I was in the midst of a country, as I told you, where every single one had lost a father or a brother—they were just emerging from this situation—you didn't stop and ask about all of these other things. I had thought the stories greatly exaggerated as most of them were. But I was most concerned to see how they were going to revive from the situation that they had been through to which we in America owed so much, to find out the kind of things that I could bring back and tell us here, so that we could have better and friendlier relations for a long period, as our President Roosevelt hoped to do before he died.

Mr. ARENS. Did you get to see Stalin while you were over there?

Miss SMITH. I didn't get to see Stalin. I didn't try to see Stalin. I was much more interested in the common people.

Mr. SCHERER. Didn't we have that same situation in Germany, the cities were leveled and everybody lost someone in their families?

Miss SMITH. Yes. There was a very, very sad situation in Germany, and the German people suffered very much. But may I just remind you that it was Hitler and the Fascist government that was the aggressor and that started the war and which brought our country into it. It seems to me there is a little bit of difference.

You certainly can be sad that any people anywhere have to die, particularly the nonbelligerent population; but you cannot compare what happened to Fascist Germany, as the aggressor against which all the democracies had to fight, as to what happened to a country that was invaded.

Mr. SCHERER. And you had the same situation in England, didn't you?

Miss SMITH. England suffered very much. There is no question England suffered greatly. But no country suffered the kind of devastation that the Soviet Union suffered. This is a well-known fact.

Mr. ARENS. I take it you are opposed to fascism.

Miss SMITH. I hate all war, I hate all fascism, I hate all destruction of whatever kind wherever I see it.

Mr. SCHERER. Madam, you are a writer. Since the atrocities in Hungary by the Communists and the Russians, have you written anything condemning that action and those atrocities since you hate killing and war? Have you written anything at all condemning that?

Miss SMITH. I have already explained. You want me to go over the same ground again.

Mr. SCHERER. Have you written anything in all your publications condemning the atrocities by the Russians in Hungary in view of your statement now? I want to know.

Miss SMITH. I have already told you before I made this statement, I did write about Hungary. I know that there were a great many atrocities, that were carried on by the so-called rebels. I know that the Soviet troops that went in there caused damage and suffering. I hate all that. I told you before that I felt that this situation was a situation that arose out of the whole cold-war situation, because there are armies of the West in Europe, there are also armies of the Soviet Union in other countries. Because of policies of carrying on counterrevolutionary activities in which our country has had a part. There were many elements in Hungary, elements from the old Fascist regime, who wanted to restore fascism in Hungary. You must remember that Hungary was the first Fascist state. It was a Fascist state even before Hitler got started. There were many people who wanted to restore fascism. There were people in our country who had a great deal to do over the years with helping those people.

The thing one has to understand about Hungary is that it was a whole world situation. You have to understand the guilt of the western nations in creating a divided Europe with the danger of war. I don't for a minute condone foreign troops in any country, but I think you have to judge any situation against the whole world background, and I tried to explain this. Because I think we here in the West have our share of the guilt, too. All of us have to think in terms of our own responsibilities, the best way of making sure that this sort of thing never happens in the world again.

Mr. SCHERER. Now, Madam, you have taken a long time to give an answer that could have been yes or no to the simple question I asked you. Let us stay on the question. Did you in all of your writings—I am not saying you should have—did you in all of your writings any place condemn the action of the Russian Government?

Miss SMITH. I said it was a terrible thing, it should have been avoided, but condemning was not enough. We had to understand the whole situation and our share of responsibility.

Mr. SCHERER. Then you blame part of the atrocities in Hungary on the United States?

Miss SMITH. I don't blame them specifically on the United States, if you are thinking in terms of any particular person. I blame them in part on a policy which, for years and years, has been hammering through radio free Europe and through all kinds of Fascist groups that we have helped support all throughout Europe—there are many in Germany and in other countries which have tried to prepare for a restoration of the old regime.

To the extent that our country has encouraged some of those people, to this extent, I think we must share the responsibility.

Mr. SCHERER. Isn't it significant to you that in all of the arguments you have just made you have not once placed any blame on the Soviet Union for the thing that has happened?

Miss SMITH. I have told you—

Mr. SCHERER. You have had a good chance.

Miss SMITH. You asked me specifically whether I blamed our country. Certainly I blame the Soviet Union. The Soviet Union has made a great many mistakes in Hungary and in its own country. If it had not been for those mistakes, the immediate uprising at that time very likely would not have happened. But it was because of the Western countries and their encouragement to the Fascist and Horthy groups that the situation reached the terrible point of bloodshed that it did. It was a combination of everything put together. I blame everyone that had any part in permitting such a situation to arise. I blame the Soviet Union, the Hungarian Government, for their part in it as well as anybody else.

Mr. SCHERER. You feel, then, that there was some justification for the Russians sending troops into Hungary to settle a domestic problem?

Miss SMITH. They did not send the troops in, as I tried to explain to you before.

Mr. SCHERER. They didn't?

Miss SMITH. Under the North Atlantic Treaty, the United States has its troops stationed in many European countries. You may remember that there is a NATO and that American troops are stationed there. It was not until after NATO was set up—and NATO was based on the whole fact that Germany, Western Germany, should be rearmed and should be the core of the—it was not until the United States sent its troops and helped organize the NATO that the Soviet Union and the other Socialist countries organized the Warsaw Pact countries, and on their part stationed some of their troops in Eastern Europe.

Mr. MOULDER. Let us proceed.

Mr. ARENS. You have told us you hate fascism. Do you equally hate communism?

Miss SMITH. I refuse to answer on the ground I have already given.

Mr. ARENS. We would like to just ask you—

Mr. SCHERER. Just a moment, please. After the invasion and atrocities in Hungary, did you withdraw from the Communist Party, as some of the Communists did in this country?

Miss SMITH. What kind of a loaded question is that to ask? I don't understand it. I really don't understand. Is this a straight and honest kind of investigation?

Mr. SCHERER. Will you answer the question?

Miss SMITH. If it is phrased in a way in which it can be answered.

Mr. FORER. She is asking you to withdraw the question.

Mr. SCHERER. I am not withdrawing the question. You understood my question; did you not?

Miss SMITH. No; I didn't. I would think that Members of the United States Congress would at least want to keep their proceedings orderly and decent and not ask this kind of tricky question.

Mr. SCHERER. All right. Did you withdraw membership in the Communist Party, as many Communists did in this country, in protest to the atrocities in Hungary by the Communists?

Miss SMITH. It sounds about the same to me.

Mr. SCHERER. I think everyone in the room understands that. I ask you to direct the witness to answer the question.

Mr. MOULDER. The witness is so directed.

Mr. FORER. Give her a chance to answer without direction.

Mr. ARENS. Now, Counsel, we don't have to read you the rules again.

Mr. FORER. Why not? I am always glad to hear the rules.

(The witness conferred with her counsel.)

Miss SMITH. Since you don't rephrase it, I have to refuse to answer for the reasons given and, in addition, because it is a very loaded and unfair question.

Mr. ARENS. Now we would like to lay before you just two of the articles by yourself in the New World Review of November 1954 and January 1954. The first is 37th Anniversary of the U. S. S. R., by Jessica Smith, in which you call for the reeducation of the American people on the facts of life in the Soviet Union, the Chinese People's Republic, and the People's Democracies as one of the major tasks of our time. That is in the first article.

The other is an article, How the McCarran Act Threatens You, in which you announced to the world:

There has been no Soviet aggression, and no sign of any preparations for aggression, as the top military leaders of the United States have been compelled to admit again and again—

and that the McCarran Act, the Internal Security Act—

represents one of the main instruments of reaction in its efforts to establish an American brand of fascism and unleash a new world war.

Would you kindly glance at each of those articles and see if you would help this committee by telling us whether or not you are accurately quoted there in that reproduction?

Mr. SCHERER. What is the date of this?

Mr. ARENS. 1954.

Miss SMITH. They are both photostats and they seem to have come from the magazine. You don't expect me to read them all.

Mr. ARENS. I just want to know if you would accept the reproduction there.

Miss SMITH. I accept the reproduction. I would not necessarily accept everything I have said at some previous time.

Mr. ARENS. Were those articles in the New World Review?

Miss SMITH. Yes; I did.

(Documents marked "Smith Exhibit No. 5," and retained in committee files.)

Mr. ARENS. I respectfully suggest that concludes the staff interrogation of this witness.

Mr. MOULDER. All the documents referred to by the counsel and presented to the witness for identification are admitted in evidence and will be part of the record.

Mr. SCHERER. Witness, did you write in this article which you just identified as late as January 1954 this:

But the Soviet Union, steadfastly pursuing its policy of peace, has failed to provide an iota of evidence to back up this myth. There has been no Soviet

aggression and no sign of any preparation for aggression, as the top military leaders of the United States have been compelled to admit again and again.

Miss SMITH. I have no doubt I did. As a matter of fact, when Secretary Dulles was testifying on the Middle Eastern problem, he said there was no sign of Soviet aggression, even though this was supposed to be the basis for the thing. Military men are saying this today.

Mr. SCHIERER. You say the Russians didn't send any arms into the Middle East?

Miss SMITH. He said there was no sign of threatened aggression. This refers to aggression. Secretary Dulles himself made that statement.

Mr. MOULDER. The witness is excused.

(Witness excused.)

Mr. MOULDER. Call your next witness.

Mr. ARENS. Joseph Felshin.

Mr. MOULDER. Do you solemnly swear that the testimony you give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FELSHIN. I do.

**TESTIMONY OF JOSEPH FELSHIN (JOSEPH FIELDS), ACCOMPANIED
BY COUNSEL, HARRY SACHER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FELSHIN. Joseph Felshin, F-e-l-s-h-i-n. I live at 1134 East 22d Street, Queens. I am a publisher.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. FELSHIN. That is right.

Mr. ARENS. You are represented by counsel?

Mr. FELSHIN. That is right.

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17.

Mr. ARENS. Are you known by any name other than Joseph Felshin?

Mr. FELSHIN. I occasionally write under the name of Joseph Fields.

Mr. ARENS. What is your occupation again?

Mr. FELSHIN. Publisher.

Mr. ARENS. With what firm are you connected?

Mr. FELSHIN. I decline to answer that question, invoking the fifth and first amendments on the grounds that my answer may be used by this committee against me.

Mr. ARENS. I lay before you a photostatic reproduction of the certification of incorporation of the New Century Publishers, Inc., in which you, Joseph Felshin, are listed as one of the officers of New Century Publishers. Kindly look at this document and tell us whether or not that accurately describes your status with the New Century Publishers.

Mr. FELSHIN. I decline to answer that question on the aforementioned grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FELSHIN. I decline again.

Mr. MOULDER. The witness is so directed and advised. You may be endangering yourself—

Mr. FELSHIN. Under the fifth and first amendments.

(Document marked "Felshin Exhibit No. 1," and retained in Committee files.)

Mr. ARENS. I lay before you a reproduction of a statement filed with the Post Office Department by Political Affairs, a publication in which you, Joseph Felshin, are listed as business manager. Look at that document and tell us whether or not that is your signature.

Mr. FELSHIN. I decline to answer on the grounds of the first and fifth amendments.

(Document marked "Felshin Exhibit No. 2," and retained in committee files.)

Mr. ARENS. As a prerequisite to obtaining your witness fee, you are requested to sign a pay voucher. Will you now sign that pay voucher while you are under oath? I say, without any sense of trying to entrap you, that the purpose of this request is so that we may have a comparison of a signature given while you are under oath with the signature appearing on the document which we have just displayed to you.

Mr. FELSHIN. I decline to sign my name on the grounds of the first and fifth amendment and I will forego that little payment.

Mr. SACHER. Will you advise him that he doesn't have to forego his fee?

Mr. MOULDER. No.

Mr. ARENS. We are not trying to have him forego anything. I am asking whether or not, while he is under oath, he would fix his signature to the pay voucher so that we could have a comparison of signatures.

Mr. SCHERER. Mr. Chairman, under the law, he has to sign a receipt for his fee; and when he signs that receipt, I suggest at that time the receipt or voucher be incorporated by reference in the record.

Mr. MOULDER. It is so ordered.

Mr. SACHER. I may suggest that won't discourage him from asking for his fees, Mr. Congressman.

(Document marked "Felshin Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Counsel, you don't want me to read these rules again.

Mr. SACHER. No, I will forego that pleasure.

Mr. ARENS. Political Affairs, concerning which we have just introduced an exhibit, is the successor organization, or the successor publication, to a publication known as The Communist, is it not?

Mr. FELSHIN. I decline to answer on the aforementioned grounds.

Mr. ARENS. I lay before you a photostatic reproduction of a letter from yourself, as president of the Workers Library Publishers, Inc., addressed to the Post Office Department in which you advise the Post Office Department that you are changing the name of your monthly magazine from The Communist to Political Affairs. Kindly look at that document and tell us whether or not you will be good enough to identify your signature.

Mr. FELSHIN. I decline to identify it on the aforementioned grounds.

(Document marked "Felshin Exhibit No. 4," and retained in committee files.)

Mr. ARENS. I would like to read you an excerpt from an article appearing in *The Worker* of August 1, 1948, by Joseph Felshin:

Our Party, in hammering out its political line for the sharpening struggle ahead must also take into account the struggle that must be waged to bring this line to far broader sections of the working people than we have succeeded in reaching in the past.

Pamphlets, books and periodicals are—like our party press, mass meetings, leaflets, radio—one of many means of mass communication. But it is clear, as we go into the crucial stages of the 1948 election struggle, that the role of the Marxist-Leninist literature in the fight for the political line of our Party among the masses assumes greater importance than ever. The printed word, through our mass pamphlets and books, bring our propaganda to the workers in its most elaborated and developed form and, if effectively organized, can reach far greater numbers than any other medium at our disposal.

Please look at that article and tell us whether or not you authored it.

Mr. FELSHIN. I decline to verify whether I wrote that or not, on the aforementioned.

(Document marked "Felshin Exhibit No. 5," and retained in committee files.)

Mr. ARENS. You were a member of the Literature Commission of the Communist Party: were you not?

Mr. FELSHIN. I decline to answer on the aforementioned grounds.

Mr. ARENS. I lay before you a photostatic reproduction of the *Communist Daily Worker* of August 13, 1947, in which you are described as a member of the Literature Commission of the Communist conspiracy.

Mr. SACHER. You have not asked him a question.

Mr. FELSHIN. He asked me to verify it and I decline.

(Document marked "Felshin Exhibit No. 6," and retained in committee files.)

Mr. ARENS. You may take issue with your counsel if you want to.

Mr. FELSHIN. I like him.

Mr. ARENS. Have you ever been connected with *Mainstream*?

Mr. FELSHIN. I decline to answer on the aforementioned grounds.

Mr. ARENS. You were at one time president of *Mainstream*; were you not?

Mr. FELSHIN. I decline to answer on the aforementioned grounds.

Mr. ARENS. I lay before you a photostatic reproduction of a letter signed by yourself, as president of *Mainstream* [Associates, Inc.], addressed to the postmaster, in which you tell him some of your problems with postal regulations in connection with *Mainstream*.

Mr. SACHER. You have not asked him a question. You just made a statement.

Mr. ARENS. I am laying it before him. I shall ask him questions, Counsel. Do you see the letter?

Mr. FELSHIN. Yes.

Mr. ARENS. Would you kindly identify your signature?

Mr. FELSHIN. No; I will not, on the aforementioned grounds.

(Document marked "Felshin Exhibit No. 7," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of John Lautner?

Mr. FELSHPIN. The name is familiar.

Mr. ARENS. Mr. Lautner, will you stand up there. Is this the man whose name is familiar to you?

Mr. FELSHPIN. May I examine him? My eyesight is not too good. Would you ask him to remove his glasses?

Mr. ARENS. Did you ever see that man before?

Mr. FELSHPIN. I will swallow my feelings and refuse to answer on the aforementioned grounds.

Mr. ARENS. This man yesterday took an oath before this committee and identified you as a member of the Communist Party. Was he lying or telling the truth?

Mr. FELSHPIN. I decline to answer on the aforementioned grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. MOULDER. All the documents referred to by counsel and exhibited to the witness will be admitted in evidence and made a part of the record.

Mr. MOULDER. The witness is excused. You may collect your fee for attendance from Mr. Jones, acting clerk for the committee.

The committee will stand in recess for a period of 5 minutes.

(Brief recess.)

Mr. MOULDER. The committee will be in order.

Call your next witness, Mr. Arens.

(Committee members present: Representatives Moulder and Scherer.)

Mr. ARENS. Mr. Milton Howard.

TESTIMONY OF MILTON HOWARD (MILTON HALPERN), ACCOMPANIED BY COUNSEL, HARRY SACHER

Mr. MOULDER. Hold up your hand to be sworn. Do you solemnly swear the testimony you give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOWARD. I do.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HOWARD. I am Milton Howard. I am a journalist.

Mr. ARENS. And your place of residence?

Mr. HOWARD. 260 West 72d Street.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. HOWARD. Yes.

Mr. ARENS. You are represented by counsel?

Mr. HOWARD. Yes.

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17.

Mr. ARENS. Mr. Howard, have you ever been known by any name other than the name pursuant to which you are appearing today, Milton Howard?

Mr. HOWARD. Yes, I have.

Mr. ARENS. What other names?

Mr. HOWARD. Milton Halpern, my given name.

Mr. ARENS. Have you been known by any other name?

(The witness conferred with his counsel.)

Mr. ARENS. Perhaps to refresh your recollection, have you been known by the name of Milton Horowitz at any time?

Mr. HOWARD. No, sir.

Mr. ARENS. Where are you employed?

Mr. HOWARD. I respectfully decline to answer that question, sir, on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that, if you told this committee truthfully where you are employed, you would be supplying information that might be used against you in a criminal proceeding?

Mr. HOWARD. I decline.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. MOULDER. The witness is so directed.

Mr. HOWARD. I decline on the same grounds.

Mr. ARENS. I lay before you a photostatic copy of a statement filed by Masses and Mainstream, October 1956, with the Post Office Department, in which you are identified as the editor of Masses and Mainstream, Inc. Please look at that document and tell us whether or not you are accurately described in there.

Mr. HOWARD. I respectfully decline to answer that question on the grounds already mentioned.

(Document marked "Howard Exhibit No. 1," and retained in committee files.)

Mr. ARENS. I lay before you, if you please, a photostatic reproduction of the masthead of Masses and Mainstream in which you are identified as a contributing editor to the publication. Please look at that document and tell us whether or not you are accurately described.

Mr. HOWARD. I decline to answer that, sir, on the same grounds.

(Document marked "Howard Exhibit No. 2," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of John Lautner?

Mr. HOWARD. I have heard the name.

Mr. ARENS. Where did you hear it?

Mr. HOWARD. I should say I read the name in the press.

Mr. ARENS. Have you ever read or heard the name any place else in the last day or two?

Mr. HOWARD. Not to my knowledge.

Mr. ARENS. Have you ever served in a closed party meeting with him?

Mr. HOWARD. I decline to answer that, sir, on the same grounds.

Mr. ARENS. Mr. Lautner identified you yesterday as a member of the Communist Party. Was he lying or telling the truth?

Mr. HOWARD. I decline to answer the question on the same grounds.

Mr. ARENS. I lay before you a photostatic reproduction of an announcement of courses of the Workers School, in which you are identified as one of the professors to teach the students about political forces shaping national and international developments. Please look at that document and tell us whether or not you are accurately described.

Mr. HOWARD. There is a date, July 2, 1937. Am I reading that correctly?

Mr. ARENS. Yes.

Mr. HOWARD. I decline to answer on the same grounds.

(Document marked "Howard Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Have you ever been on the staff of the Daily Worker?

Mr. HOWARD. I decline to answer on the same grounds.

Mr. ARENS. I lay before you now a reproduction of the Daily Worker of May 1, 1937, in which your photograph appears and in which you are identified as a member of the staff of that publication. Please look at that and tell us whether or not you are accurately described.

Mr. HOWARD. I respectfully decline to answer that on the same grounds.

(Document marked "Howard Exhibit No. 4," and retained in committee files.)

Mr. ARENS. This publication, the Communist Daily Worker, back in 1947 (March 14, 1947, p. 5) described you as a Communist. I want to lay that before you now. "We members of the Daily Worker staff are Communists and war veterans," and we do all sorts of things. Among those who are listed are Milton Howard.

Look at that document and tell us whether or not the Daily Worker truthfully and accurately describes you as a Communist.

Mr. HOWARD. I decline, sir, to answer that question on the same grounds.

(Document marked "Howard Exhibit No. 5," and filed in committee files.)

Mr. ARENS. We have a document in which you describe yourself as a Communist, an article appearing in the Daily Worker of July 10, 1947, entitled "The Surest Argument for Socialism," by Milton Howard, in which you state, among other things:

But, as a Communist American, I am passionately interested in seeing that our national productivity be used for the welfare of the entire population, and not for the profits of a few, as at present.

Please look at that and tell us whether or not you were truthfully describing yourself when you identified yourself in that publication as a member of the Communist conspiracy?

Mr. HOWARD. I respectfully decline to answer that on the same grounds.

(Document marked "Howard Exhibit No. 6," and filed in committee files.)

Mr. ARENS. I have an article here from The Worker of December 18, 1949, p. 2, by Milton Howard about Comrade Stalin. I would like to read you one excerpt:

The truth is that Stalin is the practitioner and philosopher of a new and higher form of democracy—Socialist democracy. He carries into life the great teachings of Socialist democracy as created by the immortal leaders of working-class socialism, Karl Marx, Frederick Engels, and V. I. Lenin—

And so forth—

is the advance of the common people toward democracy.

Look at that article and see if you recall writing that article lauding Comrade Stalin.

(The witness conferred with his counsel.)

Mr. ARENS. Could you help us on that, please?

Mr. SACHER. He is trying.

Mr. HOWARD. I am consulting counsel, sir. I respectfully decline to answer on the same grounds.

(Document marked "Howard Exhibit No. 7," and retained in committee files.)

Mr. ARENS. Have you changed your position with reference to Comrade Stalin in the last year or so?

Mr. HOWARD. I don't consider, sir, that my views are germane to this committee's probing. I have written a lot of nonsense in my life.

Mr. ARENS. Was this nonsense that you wrote about Comrade Stalin?

Mr. HOWARD. And I have written a lot of truths, always according to the lights as I saw them.

Mr. ARENS. Pause there just a moment.

Mr. HOWARD. As a grownup person, naturally, I change my mind about a lot of things. I respectfully decline to answer your question on the grounds I stated.

Mr. ARENS. Was this nonsense that you wrote praising Comrade Stalin or was this factual?

Mr. HOWARD. I decline on the same grounds.

Mr. ARENS. We want to lay before you still another document, a photostatic reproduction of the Daily People's World (March 13, 1951); out on the coast, a Communist production, in which an article appears: New Outlet for Honest Authors, by Milton Howard.

I want to quote just a paragraph here:

I refer to the announcement that Masses and Mainstream, monthly literary and political journal, is going into the business of publishing working class novels with the publication of the first novel of Negro writer Lloyd Brown.

Kindly look at that article and tell us whether you are accurately described as the author of that article and whether or not you made the statements attributable to you.

Mr. HOWARD. I respectfully decline to answer on the same grounds.

(Document marked "Howard Exhibit No. 8," and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. MOULDER. Witness excused, and you may claim your witness fee from Mr. Jones.

Mr. ARENS, will you recall Mr. Lautner for just a minute. Will you take the stand, Mr. Lautner.

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. ARENS. You have previously been sworn on this record?

Mr. LAUTNER. That is correct.

Mr. ARENS. In the course of your testimony yesterday, you identified a person known to you to have been a Communist by the name of Zoltan Deak.

Mr. LAUTNER. That is correct.

Mr. ARENS. Are there two Zoltan Deaks?

Mr. LAUTNER. I know one, and I know of the other. The other is Dr. Zoltan Deak. I know of him.

Mr. ARENS. How does he spell his name?

Mr. LAUTNER. D-e-a-k.

Mr. ARENS. Could you, for the purpose of clarification of this record, give us a word of description concerning the Zoltan Deak whom you knew as a member of the Communist Party?

Mr. MOULDER. And referred to by you yesterday in your testimony.

Mr. LAUTNER. Yes; he is right here.

Mr. ARENS. Can you tell us where he resides and what his occupation is?

Mr. LAUTNER. All I know, Congressman, is that at the time I knew him he was the editor of the Hungarian Communist paper at 130 East 16th Street.

Mr. MOULDER. Is he going to be called as a witness?

Mr. ARENS. Yes; in the next couple of days.

Mr. SCHERER. I think perhaps we should clarify this a little more. You say the Zoltan Deak which you identified in your testimony yesterday as a member of the Communist Party is in the hearing room today?

Mr. LAUTNER. Yes.

Mr. SCHERER. Would you point him out?

Mr. LAUTNER. He is in the back row, the fifth person, in a dark green shirt and a dark brown jacket.

Mr. MOULDER. Is he a journalist?

Mr. LAUTNER. He is a journalist.

Mr. MOULDER. This man that you refer to as being a Communist?

Mr. LAUTNER. That is correct.

Mr. ARENS. You have since learned that there is in this community, another person known as Zoltan Deak who is not the same person as the person who is in the Communist Party?

Mr. LAUTNER. I knew, before, that there is another Dr. Zoltan Deak who is not a Communist. As a matter of fact, he is an anti-Communist. He is not identical with the same person I identified.

Mr. MOULDER. Congressman Scherer will read a telegram which we have received.

Mr. SCHERER. We have a telegram from evidently the other Zoltan Deak, who asks that he not be confused with the Zoltan Deak you identified.

Mr. LAUTNER. That is right.

Mr. SCHERER. The Zoltan Deak who sent the telegram lives now at 2251 Loring Place, New York City.

Mr. LAUTNER. I would not know his address.

Mr. SCHERER. The telegram indicates that the sender of this telegram lives at 2251 Loring Place, New York City. He, of course, says that he is not the Zoltan Deak whom you identified the other day.

Mr. LAUTNER. Yes. I agree with this gentleman who sent that telegram that he is not the Zoltan Deak whom I identified.

Mr. MOULDER. Very well. We would appreciate the cooperation of the press in making that fact public, if they will, for the protection of the person whose name is the same and may be confused with the man you identified as being a member of the Communist Party.

Mr. ARENS. Mr. Ordway Southard, kindly come forward.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOUTHARD. I do.

**TESTIMONY OF ORDWAY SOUTHARD, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ**

Mr. ARENS. Kindly identify yourself.

Mr. SOUTHARD. My name is Ordway Southard. I live at 225 West 109th in Manhattan, and I am a writer.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. SOUTHARD. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. SOUTHARD. I am.

Mr. RABINOWITZ. Victor Rabinowitz, 25 Broad Street, New York.

Mr. ARENS. With what firm or organization are you identified in your writing work, Mr. Southard?

Mr. SOUTHARD. I would like to say that I don't know that I have done anything wrong or illegal, but my counsel advises me that such a question addressed to me by this committee will place me in jeopardy, and therefore I must decline to answer the question.

Mr. ARENS. Are you a Communist?

Mr. SOUTHARD. I will have to answer that in the same way.

Mr. MOULDER. For what reasons are you declining to answer?

Mr. SOUTHARD. I am declining to answer because my counsel advises me that I will be placed in jeopardy if I do so.

Mr. MOULDER. To clearly understand you, you are claiming your privilege under the fifth amendment and invoking the fifth amendment in declining to answer?

Mr. SOUTHARD. Yes, sir; that is what I am advised to do and that is what I intend to do.

Mr. MOULDER. For the reason that it might tend to incriminate you?

Mr. SOUTHARD. I would not say that. I would, however, say that, from what I understand of the fifth amendment, it does give me the right to decline to answer a question when I feel that might put me in jeopardy before the law.

Mr. ARENS. Do you honestly apprehend, if you gave a truthful answer to the last outstanding principal question, you would be supplying information which might be used against you in a criminal proceeding?

Mr. SOUTHARD. I think I have already answered that.

Mr. ARENS. Answer it again.

Mr. SOUTHARD. I honestly apprehend that when this committee asks me questions of that type that I could be placed in jeopardy.

Mr. SCHERER. This is the first witness that has properly answered that question. You have properly answered the question. You have been properly advised by your attorney, who understands what the ruling of the court is.

Mr. ARENS. We want to lay before you now a copy of the Daily Worker of August 20, 1942, in which an article appears entitled "3 Communists Qualify For Alabama Election." In the course of this article it tells about yourself being a candidate for Governor on the Communist Party ticket in Massachusetts. Look at that article and would you be good enough to tell this committee whether or not that accurately portrays the facts. I made a mistake. That is Alabama rather than Massachusetts.

Mr. SOUTHARD. That doesn't make any difference, sir. I will decline to answer the question on the same grounds.

(Document marked "Southard Exhibit No. 1," and retained in committee files.)

Mr. ARENS. I have a document entitled "A Confession of Faith. We State Our Case to the Legislative Committee," issued by the State Committee of the Communist Party of Massachusetts, containing an appeal by a number of people, including Mr. Ordway Southard, of Boston, Mass., on behalf of the Communist Party.

Please look at that article and tell us whether or not that accurately portrays the facts.

Mr. SOUTHARD. I decline to answer that, sir, on the same grounds.

(Document marked "Southard Exhibit No. 2," and retained in committee files.)

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. SOUTHARD. I am a writer. I am not employed in the sense that your question seems to imply.

Mr. ARENS. When were you last identified with a commercial organization, then?

Mr. SOUTHARD. I think I will have to pass that one up for the same reason.

Mr. ARENS. Did you ever work for Pravda?

Mr. SOUTHARD. I have to decline to answer that.

Mr. ARENS. I lay before you now the supplemental registration statements filed by Georgi Mikhailovich Ratiani and Fedor T. Orekhov, registered agents of Pravda, the publication of the Soviet Government, in which you are listed as an employee of Pravda. Kindly look at those documents and tell this committee while you are under oath whether or not your status with Pravda is accurately described.

Mr. SOUTHARD. I will have to decline again, sir, on the same grounds.

(Documents marked "Southard Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Do you know these men whose names I just called off, Georgi Mikhailovich Ratiani and Fedor T. Orekhov?

Mr. SOUTHARD. I will have to decline, sir, on the same grounds.

Mr. ARENS. Are you this instant a member of the Communist conspiracy?

Mr. SOUTHARD. I am told that a court has held that this is not a proper question. Apart from that, it seems to be like asking me when I stopped beating my wife, to introduce a conspiracy into a question. It doesn't seem quite right.

Mr. SCHERER. Are you a member of the Communist Party? Is that what you are objecting to?

Mr. SOUTHARD. In regard to that question, I will have to decline to answer on the previous grounds.

Mr. ARENS. Let us try another question. Are you a member of an organization dedicated to the overthrow of the Government of the United States by force and violence?

Mr. SOUTHARD. No.

Mr. ARENS. Are you a member of an organization which has been found by the Supreme Court of the United States and by the Congress

of the United States to be an organization dedicated to the overthrow of the Government of the United States by force and violence?

Mr. SOUTHARD. Let me say first that I am not a lawyer and I am not competent to judge what the Court has decided to be illegal or not illegal. I grant you that doesn't answer your question, but I want to state that.

Mr. SCHERER. I think he has answered sufficiently, Mr. Chairman.

Mr. MOULDER. Any other questions?

Mr. ARENS. No.

Mr. MOULDER. Any questions, Mr. Scherer?

Mr. SCHERER. I think here is an example of a witness, while he has invoked the fifth amendment, who has been very courteous without any recriminations, or the like. I think we ought to compliment him and his counsel.

Mr. MOULDER. The witness is excused. However, before excusing the witness—did you offer any documents?

Mr. ARENS. Yes. There is a general order that all documents will be included in the record.

Mr. MOULDER. All documents submitted to witnesses will be considered as having been offered in evidence and made a part of the record at the appropriate point.

Mr. MOULDER. The witness is excused and he will obtain his attendance fee from Mr. Jones who is acting as clerk for the committee.

The committee will stand in recess until tomorrow morning at 10 o'clock.

(Whereupon, at 3:35 p. m., Wednesday, March 13, the hearing was recessed, to reconvene at 10 a. m., Thursday, March 14, 1957.)

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